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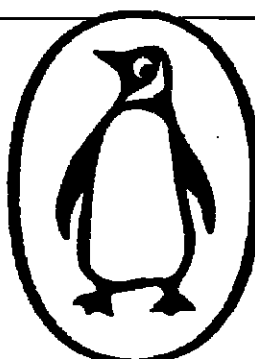
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TOMES
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Labour ordered to return grand prix chief's £1.5m

By Andrew Pierce
and Nicholas Wood

THE Labour Party was ordered last night by the new Public Standards watchdog to return a £1.5 million donation from the head of Formula One racing.

The decision to give back the money from Bernie Ecclestone, President of the Formula One Association, followed 72 hours of pressure on the party to confirm its financial links with the industry after grand prix were excluded last week from the Government's ban on tobacco sponsorship.

Mr Ecclestone gave between £8 million and £10 million to the Tories between 1992-97 but switched sides before the general election. In January he paid £1.5 million into

Labour Party coffers — one of the biggest individual donations the party has received, and about 10 per cent of its 1996 income.

The only other personal gifts in the same league came from Paul Hamlyn, who gave £600,000 to Labour, and Matthew Harding, the Chelsea football club vice-chairman, who donated £1 million shortly before his death last year in a helicopter crash.

The Prime Minister personally ordered that Formula One should be excluded from the tobacco ban, in defiance of the Health Department, after a meeting at Downing Street on October 16 with Mr Ecclestone, Max Mosley, the President of the Fédération Internationale de l'Automobile, the sport's governing body, and David Ward, who also

works for the organisation. When Tony Blair met the delegation he was aware that Mr Ecclestone had made a large donation.

The Labour Party, which insisted last night that the exclusion had not been influenced by Mr Ecclestone's generosity, said that the decision to seek advice from Sir Patrick Neill, QC, who took over formally yesterday from Lord Nolan as Public Standards watchdog, was taken after the policy reverse.

Labour's leaders are understood to be shaken by Sir Patrick's decision but, having asked for his guidance, knew they had no choice but to accept it.

However, *The Times* has learnt that Sir Patrick never received the faxed letter from Tom Sawyer, General Secretary of the Labour

Party, until 7pm last Friday — about four hours after journalists, including representatives from *The Times*, challenged the party to confirm that Mr Ecclestone was a major donor. No contact had been made with Sir Patrick prior to that faxed letter.

Labour officials maintained throughout the weekend and most of yesterday that they could not confirm or deny whether Mr Ecclestone, who earns a reported £29 million a year, was a benefactor.

They stuck to party rules, introduced last year, which insist that donors' names can be listed only in the annual financial report, next out in September 1998.

Mr Ecclestone's donation would have been confirmed but, in keeping with Labour's rules, the size would be secret.

The climbdown was announced yesterday at 5pm, shortly after Sir Patrick conveyed his views to Labour's leadership. The party maintained its decision not to discuss how much Mr Ecclestone had given. But *The Times* understands from senior political sources that it was £1.5 million.

Only minutes earlier a solicitor acting for Mr Ecclestone denied categorically that his client had given money. John Reynolds, of the city firm Herbert Smith, said: "A statement at the weekend denying my client gave money to the Labour Party still stands."

Mr Ecclestone changed his tune later, confirming he was a financial supporter. He then claimed he "never sought any favour from New Labour or any member of Govern-

ment". He added in a statement: "There had been speculation over the past few days that I have made a donation to the Labour Party. I met Mr Blair in July 1996 and was very impressed with him and his plans for our country."

"In January 1997, I was asked by a colleague to make a contribution to New Labour, which I did. I have never sought any favour from New Labour or any member of the Government, nor has any been given."

In a statement last night Sir Patrick, who has been asked by the Prime Minister to investigate party political funding, welcomed Labour's "speedy response".

He said: "I am delighted that the Labour Party has acted on my



"What is it they say?
There's no smoke
without fire"

Business urged to prepare for single currency

By Philip Webster, Jill Sherman and Philip Bassett

TONY BLAIR promised last night to be a leader in Europe as he prepared to deliver Labour's most enthusiastic endorsement of a European single currency.

The Prime Minister will today echo yesterday's message to the Confederation of British Industry from Gordon Brown, that companies should get down immediately to preparing for economic and monetary union (EMU).

Mr Blair will say that the Government wants the single currency to be a success and Britain to be part of it in due course if the economic benefits are clear. In a live video link with the CBI meeting in Birmingham, he will add that business and the City should start "active preparations" now. Mr Blair and Mr Brown were hardening their pro-European positions as William Hague, the Opposition leader, told the CBI he had "deep concerns" about the project and likened supporters of it to "lemmings".

The Chancellor announced moves to help British companies use the euro years before any government decision on membership. Under legal changes heralded by Mr Brown yesterday, companies would be able to trade and deal in the euro from the launch date in 1999 although he has ruled out British membership before the next election.

Later, in his first speech to the Lord Mayor's Banquet in London, Mr Blair said it was time for Britain to end the isolation of the past 20 years.

He said: "Britain is part of Europe. It must play its full part in leading it. Not because there is no alternative. There is: we could go. But because it is in the British interest to stay. As we are staying, let us do so with effect."

Mr Hague said business could find itself in a burning building "with no exits" because of monetary union.

CBI reports, pages 10, 11
Anatole Kaletsky, page 22
Leading article, page 22

Cheering as judge frees Louise Woodward

By Tunku Varadarajan in Cambridge, Massachusetts, and James Bone

LOUISE WOODWARD was last night freed from jail after her conviction for murdering eight-month-old Matthew Eappen was reduced to involuntary manslaughter.

Supporters both inside and outside the court in Cambridge, Massachusetts, cheered as Judge Hillier B. Zobel cut a mandatory life sentence to one of 279 days — the time she has already spent in prison. He said: "I do not denigrate Matthew Eappen's death or his family's grief. It is in my judgment time to bring the judicial part of this extraordinary matter to a compassionate conclusion."

The prosecution immediately announced that it would be appealing and called for Woodward to remain in jail in the meantime, but the judge rejected the application. But he also told Woodward that her passport would not be returned to her yet.

The defence intends to go ahead with an appeal in an attempt to win total vindication for the 19-year-old British girl. Asked before the new sentence was imposed whether Woodward would appeal against the reduction of the verdict to manslaughter, her lawyer Barry Schack said without a moment's hesitation: "Yes, certainly."

Later, at the sentencing hearing, the prosecutor Ge-



Judge Zobel: murder verdict was wrong

rard Leone argued for a minimum 15-year sentence because, he said, Woodward had refused to accept responsibility for Matthew's death, had shown no remorse, and had left Matthew's parents with no answers about what had caused their child's death. Sam and Deborah Eappen, who had made emotional "victim impact statements" before the mandatory life sentence was imposed ten days ago, chose not to make further statements yesterday and were not in court.

Andrew Goode, for the defence, had asked for a sentence of time served, and Woodward told the judge: "I would just like to maintain what I said at the last sentencing hearing. I am innocent."

Matthew died five days after being taken to hospital with a fractured skull on February 4. The prosecution said the injury indicated that the baby's head had been slammed against a hard surface and blamed Woodward, the only adult to be with Matthew that day.

But the defence said that clear fluid found in the baby's skull proved that the injury had been sustained two or three weeks earlier. Woodward insisted that she did not hurt the child, saying she only shook him a bit when she found him unresponsive in his cot after a bath. She denied

telling police that she may have been "a little rough" with him.

The jury nevertheless found Woodward guilty of second-degree murder and when the verdict was read out, she burst into hysterical sobs crying: "I didn't do anything. I never hurt Matty."

Yesterday, in his 12-page ruling, Judge Zobel said that after "extensive, cool, calm reflection", he was "morally certain" that the murder conviction was a miscarriage of justice.

"I believe that the circumstances in which the defendant acted were characterised by confusion, inexperience, frustration, immaturity and some anger, but not malice," he wrote.

"Frustrated by her inability to quiet the crying child, she was a 'little rough' with him" under circumstances where another, perhaps wiser, person would have sought to restrain the physical impulse. The roughness was sufficient to start (or restart) a bleeding that escalated fatally." But he added: "I view the evidence as disclosing confusion, fright and bad judgment, rather than rage or malice."

He also wrote that had a manslaughter verdict been available to the jury — which was restricted to "murder or nothing" — it might have selected it. That, he said, would accord with "one rational view of the evidence": that Matthew did have a pre-existing blood clot that the defendant did handle him roughly; that the handling — if not the roughness — was intentional and with an excessive and therefore unjustified force; and that the handling caused the rebleeding which caused Matthew's death.

The suggestion that the jury might have chosen a manslaughter verdict was immediately endorsed by one of the jurors, Stephen Colwell, who said: "Had that option been before us, we might have come



Louise Woodward: "I would just like to maintain what I last said. I am innocent"

to the same conclusion. I am greatly relieved; I was distraught over the fact that a new trial may have been ordered or the verdict overturned. Judge Zobel's decision is a good one for the jury."

There was delight in Woodward's home village of Elton, Cheshire, although supporters said that they would continue their campaign to have her acquitted of all charges. But Matthew's grandmother, Achamma Eappen, emphasised that Woodward had still been found guilty of killing the

baby. "All that we wanted was for us to know what really happened and this still shows that she's guilty," she said.

The judgment, page 12
Libby Purves, page 22
Leading article, page 23
Victoria McKee, page 43

Britain observes Armistice silence

Much of Britain will come to a halt at 11am today to observe the Armistice Day two minutes' silence. Airports, law courts, radio and television stations, councils, schools and businesses are among the many organisations marking the eleventh hour of the eleventh day of the eleventh month in tribute to British servicemen and women who died for their country.

BT to make \$3bn on MCI bid

BRITISH Telecom accepted \$7 billion (£4.13 billion) for its shareholding in MCI, the American telecommunications group that bowed to a record-breaking \$37 billion bid from WorldCom, the American phone company. Including an instant \$465 million break-up fee payable to BT, the British company will make a profit of about \$3 billion on its MCI

adventure. The MCI deal enters the record books as the world's biggest bid. Speaking on future developments, Sir Iain Vallance, the BT chairman, said that already BT had been approached by other US companies. He added: "We will now be looking at investments in the US and other parts of the world."

He did not rule out other

US resumes Iraq spy flights

The United States resumed U2 reconnaissance flights over Iraq as Washington struggled to muster support at the UN for a tough response to Baghdad's defiance. The flights went off safely despite bellicose warnings from Iraq and the Pentagon saw the successful mission as a sign that President Saddam Hussein may not want to escalate the dispute... Page 17

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Dome proves to be a questionable Experience

WAS that a smell of sulphur in the air? It was like the moment when the Bad Fairy stalks on to the pantomime stage. Fear, loathing and fascination hung in the atmosphere in equal proportions. One MP even hissed.

Peter Mandelson had finally been brought to the dispatch box. There he was—living, breathing—in immaculate grey suit, white shirt and turquoise silk tie. His hair, held in place by perhaps by the lightest application of spray, was perfect.

And he would speak! What was his voice like? Darth Vader? A whole new generation of MPs and cub reporters have never heard Mandelson speak in the Chamber. He would answer for five min-

utes. So after six months on the salary of a Minister of State we can fix his estimated value as a Commons speaker at about £247 per second. What could Mandelson be about to say to justify this rate of pay?

As the elusive Minister sat in silence, tense but poised, awaiting his moment, the preceding Questions to the Culture Secretary Chris Smith seemed an eternity.

Besides, there were no interesting questions for Mr Smith. A ludicrous feature of the Commons Questions procedure is that these are notified in writing a fortnight before the afternoon on which they will be asked. Two weeks ago nobody was talking about donations to the Labour Party from the



MATTHEW PARRIS
POLITICAL SKETCH

moguls of motor racing: no one had suggested squeezing a quart of British opera into the pint pot of Covent Garden. There were therefore no questions on the only topical subjects in Smith's portfolio.

Light relief was provided by Sports Minister Tony Banks, who is still finding it hard to shake off the habits of an Opposition backbencher, and yesterday (if I heard aright) took to heckling his own fellow-ministers. Junior minister Mark Fisher was being harried by

MPs concerned that there were too many children's cartoons on television. Defending the BBC, the minister protested that children would search in vain for a silly cartoon on the BBC.

"They can come 'ere then," crackled a voice which seemed to come from the minister sitting next to Mr Fisher. Banks adopted his innocent, "not me, guv" expression, and I may stand corrected.

At 3.11pm, a whole minute late, Mandelson rose, pale as Banquo's ghost, in complete silence. MPs

had 300 seconds to interrogate him. They never got past the first question on the Order Paper. This was from Dr Phyllis Starkey (Lab, Milton Keynes SW) and lacked the monumental quality the moment seemed to demand. She asked about "provision of an adequate transport infrastructure" for the Dome.

Mr Mandelson sounded nervous. He would not say "Dome". He kept talking about the "Millennium Experience." He spent his entire five minutes babbling about it. Unless Tony Blair rescues him at a Cabinet reshuffle the poor man's whole career is now trapped for the rest of the century by this infernal Dome. There would be masses of "exciting and enjoyable things to

do" at the Experience, he prattled. There would be "a new Millennium pier" from which to take a boat there.

Or you could "park 'n sail", he trilled.

"Park 'n sail" was the message of the day, repeated twice. Like "wash 'n hold", "spray 'n stay", "smash 'n grab" or indeed (as Mandelson doubtless hopes at the next reshuffle) "cut 'n run", the phrase is memorable and may come to be permanently associated with his name. Peter "park 'n sail" Mandelson. Too bad that, as he spoke, a judge in Boston was stealing the limelight. It is just possible that Park 'n Sail will not grace the front page headline in this newspaper.

NEWS IN BRIEF

Bulger killers get new review

THE Home Secretary last night held out the prospect of an early release from custody for the boys convicted of murdering two-year-old James Bulger. Jack Straw outlined new guidelines for reviewing jail terms to be served by children detained at Her Majesty's Pleasure for murder.

He is to set a new minimum tariff to be served by Robert Thompson and Jon Venables. Halfway through the tariff their lawyers will be able to argue they should be considered for early release.

No handcuffs

A magistrate rejected an application to have a former M16 officer handcuffed during his second court appearance yesterday. Richard Tomlinson, 34, of Milton Keynes, who is charged under the Official Secrets Act with disclosing information without lawful authority, was remanded until Monday by Bow Street court.

Flag apology

George Robertson, the Defence Secretary, apologised yesterday after a Ministry of Defence worker had raised a torn Union Flag upside down over the ministry for the Remembrance Service. He said: "I very much share the annoyance felt by veterans who deserve better than this."

Castration plan

Convicted paedophiles could be "chemically castrated" within the Prison Service's programme to curb sex offenders — if they consent. Richard Tilt, Director General, said there was evidence that combining drugs with psychologically based treatment could affect the attitudes of paedophiles.

RAF men fined

Flight-Lieutenant Shaun Wilkey, 28, and Flight-Lieutenant Tomas Barrett, 30, from 54 Squadron at RAF Collystown, were fined £2,500 each and severely reprimanded at a court-martial after admitting faking a one-night hotel bill for expenses while on active service during the Bosnia conflict.

Train spies

The London-Kent train company Connex South Eastern is paying selected season-ticket holders £100 a month to report if they consider staff are failing in their duties. The policy was discovered when a guard asked to see a man's ticket, and found himself being questioned about procedures.

Blair needs hands clean of stains like tobacco

A GOVERNMENT that was elected to clean up politics must be seen to have clean hands. But this has been undermined by its mishandling of the decision to exempt Formula One from the ban on tobacco sponsorship. After several days of evasions and denials, this culminated in last night's decision to follow the advice (in effect, an order) by Sir Patrick Neill, Lord Nolan's successor as chairman of the Committee on Standards in Public Life, to return a donation of undisclosed size above £5,000 by Bernie Ecclestone of Formula One.

The Government has a case, albeit not as strong as it claims. The real issue is whether an industry whose leaders have been Labour donors has enjoyed privileged access to 10 Downing Street.

It is easy to get over-excited over scandals and U-turns, but there has been a sense of over-cosy relationships between wealthy businessmen and Labour leaders, and of blurred ethical lines.

Sir Patrick may be right that criticism of the donation is "wrong and unfair". But, as he recognised, what matters as much is the impression of propriety. Hence, "in order to avoid the appearance of undue influence over policy he believed the money should be returned".

Labour can argue that it has acted more quickly than the

RIDDELL ON POLITICS

Tories did in similar circumstances, not least in returning the money. But that is not the end of the matter. Above all, there is a case for openness, otherwise groundless suspicions will be raised.

For instance, Tessa Jowell, the Public Health Minister, and David Mills, her husband, who has had close links with Formula One, both anticipated potential problems and took all the correct actions on official advice to avoid a conflict of interest. In retrospect, it would probably have been better if another Health Minister had handled this issue, while the rules on

family interests need to be clarified.

More serious is the question of donations. The Government is introducing legislation requiring the identity of donors above £5,000 to be disclosed, though not, as in the case of Mr Ecclestone, the amounts. But there is a big difference between a few thousand pounds and hundreds of thousands. So the amounts should be disclosed, perhaps in broad bands as happens with MPs' earnings from consultancy. Sir Patrick's advice also implies that ministers need to be more careful in dealings with businessmen

who have been big donors. Existing mechanisms for examining such problems need to be improved, as Sir Patrick said in *The Times* yesterday.

At present, the Cabinet Secretary is usually called in but, as Sir Robin Butler's embarrassing experience over the Jonathan Aitken and Al Fayed affairs showed, this is unsatisfactory since he is in no position to be a detective or to challenge the word of Cabinet ministers. The Commons Standards and Privileges Committee can look at the behaviour of MPs only in their parliamentary capacity and not at what they do as ministers.

I am also doubtful about the new development of using the chairman of the Committee on Standards in Public Life as an instant court of appeal — in this case over a weekend. The role of the Nolan, and now the Neill, committee is to look at how systems and rules work, not at individual cases. Such inquiries should be carried out by an independent figure like the Parliamentary Commissioner for Standards or the Ombudsman.

The Formula One row may only be a temporary embarrassment but Tony Blair and his advisers should learn the lessons — if they want to live up to their pre-election claims of fighting "gleaze".

PETER RIDDELL



David Mills and his wife, Tessa Jowell, Public Health Minister: they took all the official advice



Bernie Ecclestone, left, joined Max Mosley to win control of Formula One

Tycoon's drive built up winning formula

By ALASDAIR MURRAY

BERNIE ECCLESTONE, the man who controls Formula One motor racing, almost certainly earns the highest salary in the world. Mr Ecclestone, the son of a Suffolk trawlerman, was paid £54 million last year — double the £27 million he received in each of the previous three years.

But even these massive sums pale into insignificance when compared with the £500 million valuation placed on the Ecclestone family stake in Formula One Holdings, the sport's controlling company, which is due to be floated on the stock market in the next few months. For tax reasons, this stake is largely controlled by Mr Ecclestone's wife, Slavica.

Mr Ecclestone's remarkable rise to become one of the wealthiest men in the country is still shrouded in mystery. The complex web of contracts

and deals which govern the sport are still surrounded by secrecy. But as details have emerged ahead of the float, it has become clear that Mr Ecclestone, 66, controls not just the television rights to the sport, but the corporate and merchandising rights and the circuit fees.

After leaving Woolwich Polytechnic with a degree in chemical engineering, he established a successful car and motorcycle dealership in Bexley, south London, before going on to create a property business.

But it was his skill in spotting the full financial potential of motor racing that enabled him to build his fortune. He purchased the Brabham Formula One team in the Seventies, but later sold it for £2 million to concentrate on trying to place Formula One on a more professional footing. He forged an alliance

with Max Mosley, the son of Sir Oswald Mosley, to win control first of the Formula One Constructors' Association and then FIA, the Federation Internationale de l'Automobile, the governing body of Formula One. Mr Ecclestone persuaded the FIA to hand over the television and merchandising rights to his own company, promising the sport improved profits in return.

It was Mr Ecclestone's idea to package Formula One as a fortnightly show — increasing its appeal to television and sponsors which sowed the seeds of the sport's current success. He is now targeting pay-per-view television as the next big growth market and is believed to have invested £50 million of his own money in creating a state-of-the-art system that will allow viewers to choose which driver to watch.

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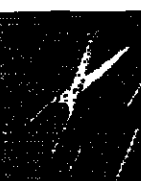
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Labour's £1.5m

Continued from page 1
advice and decided to return the donation.

"My advice was sought by the General Secretary of the Labour Party in view of the wider implications for matters of party funding which my committee will in due course be investigating."

He added: "I make no criticism of the party for originally receiving a donation from Mr Ecclestone, but in the light of the changed circumstances I stressed the importance of those in public life being judged not only by the reality but also by the appearance."

It is the second major embarrassment for the Government since the exclusion for Formula One was announced. It emerged 24 hours after the policy U-turn that the husband of Tessa Jowell, the

Public Health Minister, was a former director of the leading race team Benetton Formula.

The Tory party, relentlessly attacked over its secret sources of funding by Labour in the last Parliament, could not resist the temptation to gloat. A spokesman said: "Labour has been caught on the horns of its own hypocrisy."

A Labour spokesman said: "We have acted swiftly and done the right thing."

Mr Mosley and Mr Ward, the other two members of last October's delegation to see Mr Blair, both belong to the exclusive 1000 Club, members of which give at least £1,000 a year to party funds.

Labour's trade union support has been falling rapidly from 77 per cent of party income in 1986 to 45 per cent last year. Then the unions contributed £6 million.

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Cash pours in for Woodward fund

Organisers seek professional help in preparing for appeal against verdict, Daniel McGrory writes

LOUISE WOODWARD appeal fund organisers said yesterday that they want to use the £250,000 raised so far to clear the au pair's name, but that they needed professional help to handle the money.

Cash and cheques are pouring into Woodward's home village of Elton, Cheshire. Securocor provides a free armoured vehicle each afternoon to collect the latest cash donations and so many foreign coins and banknotes have been sent that they have been put in a safe in the community hall until banks can deal with them.

Linda Reynolds, who helped to launch the campaign in February after Woodward was arrested, said: "We just cannot cope with it all. Money is coming in faster than we can count it. It's too soon to say exactly how it should be spent, but the priority must be to prove her innocence. This is why the appeal was started."

A local bank yesterday pledged to send its own solicitor and accountant to help in distributing the money.

Mrs Reynolds said: "It has got completely out of control. We certainly haven't had time to work out what to do with



Richard Unger, Internet co-ordinator, and a woman supporter watching the manslaughter judgment coming in at the Rigger pub, the Woodward campaign headquarters

the money. Louise and her parents must be consulted along with the people of Elton. We are afraid that those who sent money might think we have wasted it. We need outside, professional help because the sums involved are enormous and getting bigger all the time."

Woodward has been kept informed of the fund's rising total in her prison cell and has

been sent some of the thousands of letters that have accompanied cheques and postal orders.

Mrs Reynolds said: "There was a night not so long ago we had a bingo session in the local pub and raised £10 profit and thought we had done well. We didn't need to appoint trustees, nor committees because we only raised £13,000 in the first eight

months. That was used to keep her parents in Boston so they could be close to her. Since the verdict it has gone mad."

Organisers are waiting to see if the US-based recruitment agency that hired Woodward will continue to pay her legal costs. Mrs Reynolds said: "Louise will appeal this [manslaughter] verdict, so our money may not go far. If she has to stay in jail

then we need to help her parents, Gary and Sue, and her sister, Vicky, stay in Boston or visit her regularly."

"If there is money left over then we want a local committee along with Louise and her family to decide how to use it. She has already hinted she would like to help a charity for children in Boston."

Staff from the EF Au Pair recruitment agency at the Rigger pub in Elton, which has become the campaign headquarters, Sheila McCabe said: "We need to know if they will pay for her appeal or we will have to. We will also have to find out how much that might cost."

Mrs McCabe said that when the fund started they asked a woman accountant

from outside the village to detail every donation. "She also detailed how the money was spent, which was almost entirely on living expenses for the Woodward family in Boston."

"We are afraid all this money could cause argument in the village about how it is spent. That we want to avoid at all cost."

The judgment, page 12

Campaign team greet judgment in silence

By Russell Jenkins

SUBDUED silence greeted the judgment in The Rigger public house in Elton, Cheshire, the centre of the campaign to free Woodward.

Friends and villagers squeezed into the bar were concentrating on the blank Internet website when news of the judgment filtered through via satellite television. One woman sitting on the bar put her hand to her mouth and said "oh no". Another supporter at the back of the public house whooped with delight but was shouted down. The general reaction was muted and stony-faced.

There was little emotional reaction as people broke up into knots to discuss what the judgment meant for Woodward and her chances of being home for Christmas. Karen Rhodes, 19, one of her closest friends, said: "We will fight on. We are hoping she will be home soon. We want a complete acquittal."

Jean Jones, of the "Justice for Louise Woodward" campaign, issued a statement saying: "We firmly believe, as we have always believed, in Louise's total innocence. This campaign will continue until Louise comes home."

Web surfers caught out by power failure

By Damian Whitworth and Frances Gibb

AU PAIR Louise Woodward's agonising wait to hear her fate delivered via the wonders of new technology was prolonged by an old fashioned black-out yesterday.

Judge Hiller B. Zobel's ruling — the most eagerly awaited single e-mail message in the history of the Internet — failed to appear on screens around the world when an entire section of the city of Boston, Massachusetts, suffered a power failure.

As the judge pressed the button at Middlesex County Court to send his e-mail to the Lawyers Weekly magazine site on the Internet, the service provider was one of many businesses in Boston to lose power.

The failure was unrelated to the number of people trying to access the site around the world.

"The server had a power failure one minute before we were to issue the decision," Middlesex County Court clerk

Whitney Brown said. "It just totally crashed the system."

The ruling did not become available for more than an hour later.

But minutes after 3pm, when the ruling had been due to appear electronically, the result was known by American TV reporters who had had the result leaked to them by court staff.

At 3.20 reporters were reading it live on television from hard copies given out by the court once the extent of the new technology failure became known.

Even when the decision finally made it on to the Internet, it proved tremendously difficult to access because of the number of people wishing to read it.

Virgin Net in Britain, which was one of a number of "mirror" web pages set up in order to handle the volume of users, said that it had received around 1,000 "hits" every 20 seconds as 3pm approached.

The provider of the Lawyers Weekly service, Software Tool & Die in Brookline, Massachusetts, criticised the courts for not having had a back-up.

The company said that it would have recommended this but had not been told that it would be putting out the ruling.

"No one contacted us to say that they were putting this out through our service," said Mary Riendeau, vice president of customer services.

"People will have been criticising the Internet, but the Internet is not a real-time network but is expected to be such."

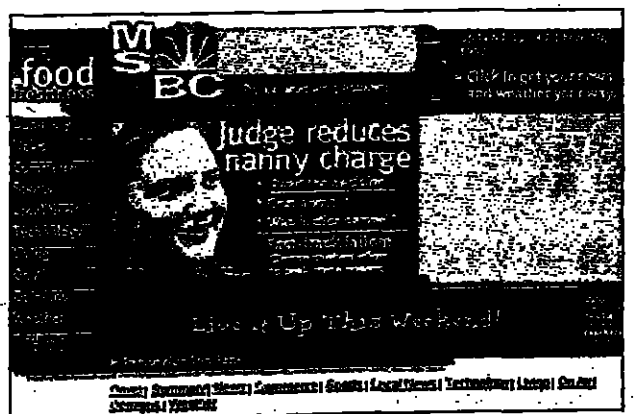
Judge Zobel had intended that his decision would be issued only over the Internet system to avoid a media crush at the courthouse and had wanted to make the document instantaneously available to people on both sides of the Atlantic who have closely followed the case.

The posting of the ruling on the Internet was to have been a first in Massachusetts and possibly the United States.

Other jurisdictions regularly post their decisions on the Web, but only after they have been filed with the court clerk and are available in paper copies.

More than 160 Web sites were devoted to covering the case.

The Internet is so commonly used in the greater Boston area that Judge Zobel admonished jurors daily that in addition to not watching television, reading newspapers or listening to the radio, they should not look at the Web.



A news agency's announcement of decision on Net

Timetable of case that tested justice

July 1996: Woodward, 18, finishes A-levels and finds placement through EF Au Pair agency in Boston, Mass.
November, 1996: After leaving first placement, unhappy at 11pm "curfew", starts work with Eappens in Newton Heights, Boston.
January 30, 1997: Eappens, concerned at late nights out, draw up written requirements for "the safety and well-being of our kids".
February 4: Woodward calls ambulance after Matthew stops breathing. He is put on life support at Boston Children's Hospital.
February 5: Woodward arrested. Pleads not guilty to battery. Unable to meet bail of \$62,500, sent to Framingham women's prison.
February 6: Matthew critical. As well as brain injuries, doctors say he has four-week-old arm fracture.
February 10: Matthew dies of brain haemorrhage

after life-support machine is switched off.

February 13: Woodward denies murder. Refused bail. Funeral service for Matthew.

March 5: Grand jury decides Woodward must face charge of first-degree murder.

October 7: Trial starts.

October 8: Brain surgeon Joseph Medsen concedes that head injuries could have been received days or weeks before Matthew was taken to hospital.

October 9: Pathologist Gerard Feigin, who carried out autopsy, says he found no evidence of shaking.

October 14: Det Sgt William Byrne says Woodward admitted she "may have been a little rough" with baby when he was "cranky".
October 23: Woodward in tears as she describes frantic attempts to revive him.
October 26: Insists on all-

or-nothing verdict, stopping jury considering charges less serious than murder.

October 28: Prosecutor calls her "a liar and aspiring actress".

October 30: Jury returns verdict of second-degree murder; mandatory life sentence with no parole for at least 15 years.

October 31: Judge Hiller Zobel passes sentence.

November 1: Woodward tells parents: "Please don't let me spend the rest of my life in here for something I didn't do."

November 2: It emerges that jury was split when it retired: those favouring acquittal were persuaded to accept conviction.

November 4: Judge hears defence plea for verdict to be overturned or charge to be reduced.

November 10: Judge reduces sentence to manslaughter.

A legendary pairing.



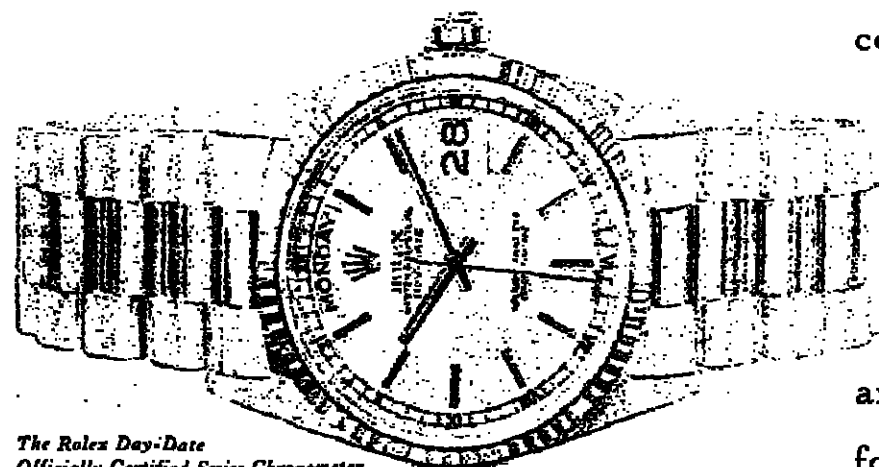
For more than three decades Arnold Palmer and Jack Nicklaus have been joined in one of the most intriguing rivalries in sport.

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"When I look back on all our years of competition," says Nicklaus, "I see it has worked exactly the way it should. It has brought out the best in both of us." And Palmer agrees, adding, "Not only that, it's also been fun."

Over the years, the pair have also competed as businessmen and golf course designers. But through all their battles, athletic and otherwise, they have shared an unwavering love for the game

and an abiding appreciation for their chosen timepiece. **ROLEX**



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Church repents for supporting Japan's war 'sin'

REPORTS BY RUTH GLEDHILL, RELIGION CORRESPONDENT

THE Anglican church in Japan has issued its first public apology for its sin in having allowed "the colonial rule and the war of aggression by the State of Japan" before and during the Second World War.

Services will return to traditional format

The Church of England has conceded that its modern liturgy is "flat and unpoetic" and is returning to a traditional format in its services. The licence of the 1980 Alternative Service Book will not be extended when it expires in 2001.

The ASB will be replaced by a new book called *Common Worship* in which modern services and rites using the language of the 1662 Book of Common Prayer will stand side-by-side.

Some of the new services are being tested in 800 parishes in England. A Church spokesman said: "The return

to a more sonorous language has been well received."

The general synod later this month will debate the new communion service, which changes include the use of alternative words to "men", such as "neighbours", where the reference is to human beings.

The synod will also debate the two versions of the Lord's Prayer on offer. *Common Worship* will include a traditional and modern version. The traditional version begins: "Our Father, who art in heaven, hallowed be Thy name." The modern version exchanges "thy" for "your".

against the gospel." The statement says: "The Nippon Sei Kai was oppressed by the authorities, and some priests and lay people experienced the struggle of faith. But despite these bitter experiences, our church has not been able to stand beside those who are oppressed and suffering."

The church was unable to see Japan as an aggressor in the war, the statement says. Instead, using special prayers, "our church has justified Japan's rule over other ethnic groups and supported the war under the name of Christianity. We have been a closed church whose main concern is the expansion of the membership and the retention of the institution, thus being unable to serve as the salt for the earth as indicated in the gospel."

The statement, drawn up by the church's general synod in 1996 but only released today, says the church has neglected to change its attitude, and had even included the "Tennen" system of government in its prayer book.

The church confesses that, even after the war, it failed to abandon its "discriminatory attitudes" and prays for change. According to a background paper issued by the General Synod of the Church of England, which has sent the



The Japanese Ambassador with a former prisoner of war after laying a wreath at Coventry Cathedral yesterday

confession and apology to all 575 members, the process that led to the statement "involved much pain and heart-searching."

A number of other churches in Japan have produced similar statements. The Church of England considers the statement "remarkable" given the tiny size of its Japanese sister church, and when "the cultural significance of admission of

guilt, confession and apology is taken into account," according to John Clark, secretary to the Partnership for World Mission.

According to the Most Rev James Takashi Yashiro, primate of Japan, the statement of apology has appeared "after much prayer, reflection, discussion and heart-felt concern for the oppressed and suffering."

suffered and were oppressed.

In a joint response, the Archbishops of Canterbury and York, Dr George Carey and Dr David Hoyle, said the statement "presents challenges to us and to all churches which relate to the world with secular powers and the concern for the oppressed and suffering."

The General Synod is to consider calling for an annex

ty for all 57,000 asylum seekers currently waiting to have their applications processed. A motion on the Asylum and Immigration Act 1996, which stopped political refugees from claiming benefits unless they demanded asylum as soon as they entered Britain, will be debated by members later this month.

Letters, page 23

Hope at talks to heal rift between churches

THE Church of England and the Methodist Church will move a step closer to becoming one, united church under proposals to be debated by the General Synod later this month.

The synod is to be asked to set up "formal conversations" with Methodist leaders in Britain. Although eventual unity — with the two churches effectively coming together under one roof and ministry — could be years if not decades away, this is the first step towards healing a two centuries-old breach between Methodism and Anglicanism.

Informal talks between the two churches have been taking place for some months. The last time a move towards unity was attempted, the Church of England rejected Methodist overtures in 1982 because of concerns in the Anglo-Catholic wing of the Anglican church.

Many of those concerns remain, but the Anglo-Catholics are less strong today after the exodus to Rome caused by the ordination of women priests. However, any moves towards full unity are certain to be cautious to avoid another such rejection.

If the synod agrees to set up formal talks, proposed by the Council for Christian Unity, the Methodists will debate the issue at their conference in Scarborough next June. Talks would then proceed shortly afterwards.

Philip Mawyer, the synod's Secretary General, said: "There is a natural caution which follows the past history of events. We do not want to be the ones who walk up the aisle but then leave when we get to the top and do not go through with the partnership."

Mr Mawyer added: "If it is accepted it will set in train a process which will enable us to move forward together on an increasingly convergent path with the aim of an eventual coming together of the two churches."

Difficulties centre over the nature of episcopal leadership. Methodist churches in some parts of the world have bishops, but not in England. Also, Methodists accept the ministry of women throughout the church, whereas the Church of England is unlikely to allow women bishops to be consecrated until well after the millennium.

More apply to become priests

SO MANY people are applying to become vicars that the Church of England's training budget has gone into the red, according to figures released yesterday.

The number of men and women applying to the priesthood has exceeded all expectations and is being interpreted as a sign of growing confidence in the established Church. New figures to be published in February will also show an increase in baptisms and confirmations.

Church officials will go cap in hand to the General Synod when it meets at Westminster next month to ask for more money for the training budget. The overspend has come because the Church believes that all who have a genuine vocation must be accepted to the ministry.

After 1993, following years of decline, numbers started to increase fractionally. Then last year there was a sudden surge in numbers recom-

mended for training for the full-time stipendiary ministry. While 348 new ordinands were accepted in 1993, this increased to 390 in 1996 and has gone up further to 441 this year. About a third of ordinands are women.

An extra £210,000 is needed from the Church's central board of finance, on top of the £6 million it already pays, to finance the increase. About 600 clergy are ordained each year, keeping a level of about 10,000 in service after taking into account retirements and those who leave.

The Rev Bill Beaver, director of the Church's communications, said: "There are a lot of signs around of a recovery of confidence. There is the way the funeral of the late Princess of Wales went, the way the Church's bishops took a stand on assuring the safety of church schools, and now the rising number of ordinands. All these things add up to a new spirit of confidence."

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Lawrence K. loses appeal

Hope at talks to heal rift between churches

THE CHURCHES of England and Wales have agreed to begin talks to heal the rift between them since the split over the issue of homosexuality.

Woman went for help with knife buried in her head

Court told man confessed to train carriage attack in 999 call, Joanna Bale reports

A WOMAN stabbed in the head on a train managed to walk to an adjoining carriage to seek help with the 5in blade still embedded up to the hilt, a court was told yesterday.

After Robert Buckland thrust the hunting knife into her head, Alison Kennedy said she walked slowly through the empty railway carriage and into the next, where another passenger kept her talking until the train stopped at the next station and the alarm was raised.

In a statement read out to the Old Bailey by Gino Connor, for the prosecution, Miss Kennedy, 28, said that she was alone in the carriage on the 8.30pm London Waterloo to Guildford train last March and was feeling frightened when Buckland went to sit behind her. "About 30 seconds later I felt a terrific pain in my head. I put my right hand up and knew that something was in my head. My hand was covered in blood. I felt the handle and then the blade. I knew it was big."

"I was shaking and terrified. I said to myself: 'God, I have got to get some help'. I walked up the carriage holding

on to the seats and opened the carriage door into the next one."

There she saw a male passenger. "I said to him: 'Can you help me? What's happened?' He looked at my head. I said, 'Something terrible has happened. Have I been stabbed?' He replied, 'Yes, you have'. She then pointed out Buckland, who was further down the train, to the man. "I remember finding it difficult to sit down. I had horrific pain in my head. I kept asking him if I was going to die."

The man went to get the guard and told her that she would get help at the next station, West Clarendon. As she was taken into the ambulance, the pain began to get worse. She said: "I began to shout about the pain and they gave me oxygen. I was terrified. They told me it would take 20 minutes to get to hospital. I remember thinking, 'How am I going to survive 20 minutes?'"

After being examined at the Royal Surrey County Hospital, she was transferred to the National Hospital for Neurology and Neurosurgery in London with the knife still embedded in her brain. Mr Connor told the court: "Miss Kennedy miraculously didn't



Artist's impression of Robert Buckland: he admits wounding

die and miraculously didn't even lose consciousness."

The court was told that after the attack Buckland tried to escape from the moving train by forcing a door open, but failed. When the train stopped, he ran off down the track and eventually stopped at a telephone kiosk where he dialled 999.

The jury was played a tape of the conversation Buckland had with the operator, in which he said: "I have just stabbed someone with a knife." The

operator asked him: "Can you tell me why you did it?" He replied: "Just this urge to do it. It just came over me." While the operator kept him talking, she alerted the police and Buckland was arrested at the telephone kiosk.

The jury was shown the knife and X-rays of it embedded in Miss Kennedy's skull. At the time of the attack, Mr Connor said, Miss Kennedy was a "fit and healthy woman with a zest for life". She had a degree in art and had done a postgraduate course in sculpture. She had spent some time working in London but had moved back to her native Belfast in 1996 to become an education officer for the Multiple Sclerosis Society. At the time of the attack, she was visiting friends and family in England.

Adrian Casey, a senior registrar at the National Hospital for Neurology, told the court that her injury was life-threatening and that she would never fully recover from the brain damage that it caused. It had left her with no peripheral vision in either eye and with a risk of epilepsy. She also had a loss of feeling in her left arm and required further surgery to insert a metal plate to repair her skull.

Buckland, of no fixed address, pleads not guilty to attempted murder but guilty to wounding with intent. The trial continues.



Alison Kennedy, who requires further surgery to repair the damage to her skull

Policewoman wins fight over work sex gibes

By STEWART TENDLER, CRIME CORRESPONDENT

A WOMAN detective who was nicknamed "Massive Cleavage" and subjected to a barrage of sexual abuse by male colleagues yesterday won her case for harassment.

An industrial tribunal ruled that Detective Constable Dee Mazurkiewicz had suffered months of harassment by Thames Valley police. DC Mazurkiewicz, 41, is the second woman officer to win a case of this nature against the force in the past three months.

During the hearings DC Mazurkiewicz, a single mother of a seven-year-old daughter, described how she was tormented by fellow officers at Aylesbury, Buckinghamshire. At one stage they claimed she got confessions from criminals by "getting her boobs out".

They also accused her of wearing no underwear and performing sex acts on prisoners in exchange for confessions.

She eventually went sick and complained in November 1995 about the harassment. Inspector George Pugsley investigated her allegations and she was transferred after he found no evidence for her claims.

John Hollow, the chairman

of the tribunal sitting in Reading, accused him yesterday of misrepresenting the facts when he gave evidence. He said the inspector had conceded that he thought indecent remarks had been made but then said he could not be sure they had been made by two officers accused of discrimination, Detective Sergeant Dave Phillips and Detective Constable Michael Hunter.

Mr Hollow said: "The most charitable view we can take is that it was disingenuous to say there was no evidence whatsoever. It is in our view a misrepresentation of the facts."

Mr Hollow said it was clear that within the CID office there was a culture of hawdy repartee between the officers. The woman detective had said that she was no shrinking violet.

Mr Hollow said an individual might be able to take remarks at first. Later, circumstances could change and what was acceptable might then become intolerable. That was the case for DC Mazurkiewicz.

The officer won her case for harassment and victimisation but not discrimination. She will now be examined by a Thames Valley Police medical officer to see if she is fit to return to work. Damages will be decided and announced in February.

After the decision Ian Blair, assistant chief constable of Thames Valley, said: "We feel sorry that Miss Mazurkiewicz has felt distress at this case. We will learn from it. She is welcome back and the decision as to whether she would like this is up to her."

He said that the force, which is the largest shire force in the country, would look at the judgment and further action may be taken against the officers criticised in the decision.



Mazurkiewicz: victim of station taunts

Lawrence killer loses appeal

By ADRIAN LEE

A TEENAGE gang leader yesterday lost his appeal against conviction for the murder of headmaster Philip Lawrence. Learco Chindamo, now 17, claimed he was the victim of mistaken identity and the real killer was another youth.

David Spens, QC, for Chindamo, said that witnesses who saw him strike the fatal blow as Mr Lawrence, 48, tried to break up a fight outside St George's Roman Catholic school, in Maida Vale, north west London, two years ago, were mistaken.

Judge Neil Dennis, the original trial judge, failed to properly direct the jury on the proper identification evidence. Mr Spens said, His client had swapped clothes with the other youth, then aged 15, shortly before the stabbing and the face of the attacker was obscured by a mask or hood.

"The incident took place in a matter of seconds," Mr Spens

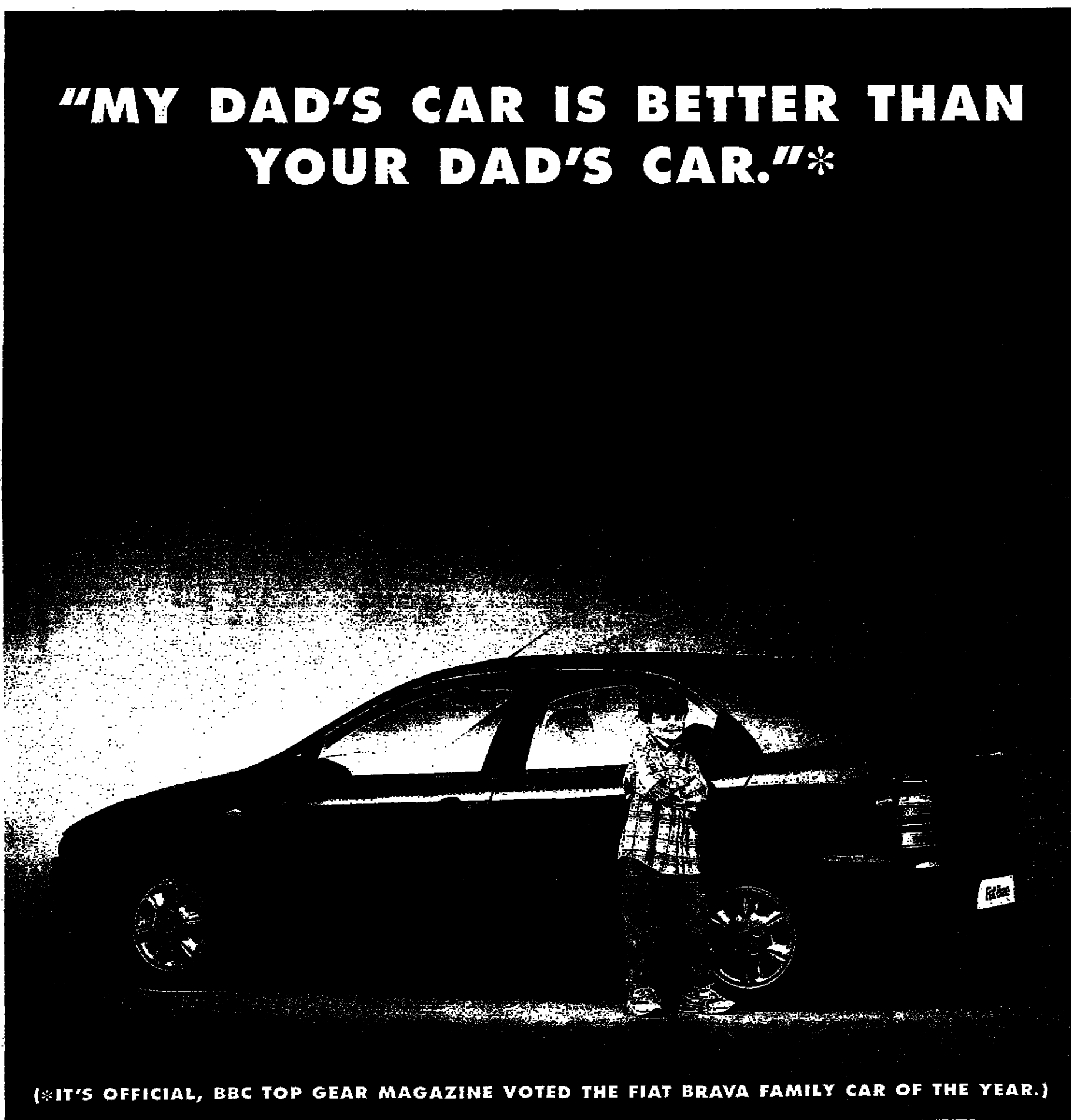
said. "The immediate area was crowded with schoolchildren on the pavement, spilling into the road."

Mr Lawrence's widow, Frances, was at the Court of Appeal as Lord Bingham, the Lord Chief Justice, sitting with Mr Justice Kay and Mr Justice Brown, rejected the appeal. He said: "In the light of all the arguments advanced, we are in no doubt that this conviction is safe."

Chindamo was ordered to be detained during Her Majesty's pleasure following an Old Bailey trial in October last year. The court heard then he was part of a triad-style gang which had gone to "sort out" a pupil at Mr Lawrence's school. Mr Lawrence was hit in the face and stabbed through the heart.

Several witnesses identified Chindamo and one schoolgirl said that she saw the other youth leave the scene before the stabbing.

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Drought damages project to restore salmon to Thames

AN AMBITIOUS plan to restock the Thames with salmon after 140 years is being threatened by drought and higher water temperatures.

This year's salmon run has been by far the lowest since scientists began reintroducing young fish into the cleaned-up river in the late 1970s and keeping an annual record of the number of adults returning from the open sea.

So far no more than 25 fish have been caught in the trap operated by the Environment Agency at Molesey Weir, 4½ miles upstream from Teddington, which marks the limit of the tidal Thames. The peak months for returning fish are August and September.

Greg Armstrong, the agency's regional fisheries manager, said: "We are seeing a worrying trend. Since 1993, when a record 338 returning fish were counted, there's been a steady decline, with 238 in 1994, 190 in 1995 and 162 last year." Salmon face unusually

Climate change and low flow blamed as fewer fish return to spawn, Michael Hornsby reports

hostile conditions this year, including low freshwater river flow, which was reduced still further by abstraction to top up reservoirs, and August temperatures of 24C in the tideway — well above what the fish will tolerate.

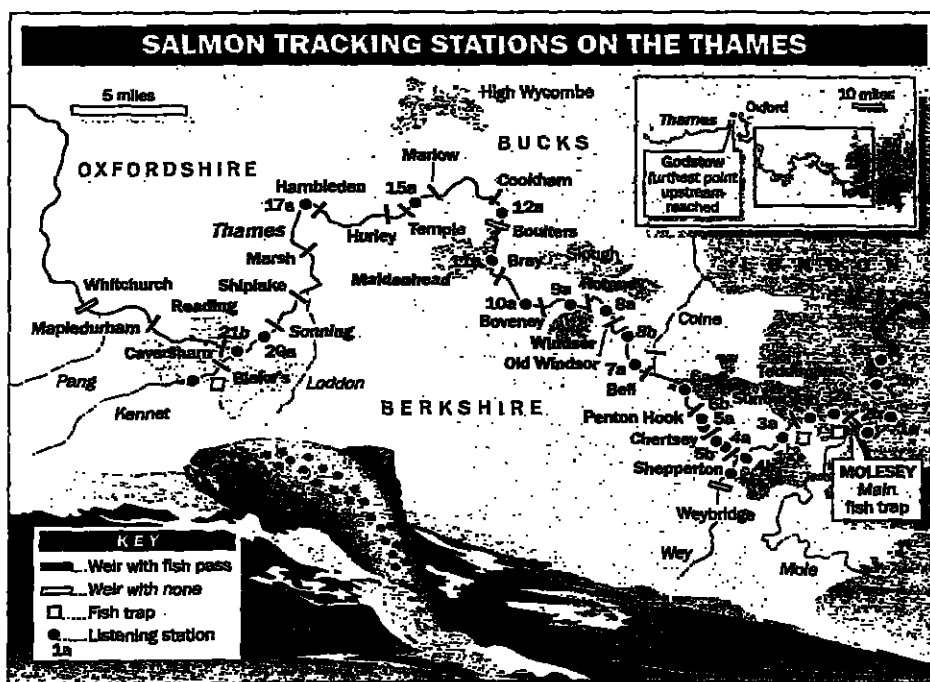
Sudden summer rainstorms and flash floods made matters worse by overloading London's Victorian sewer system, which overflowed and poured large amounts of untreated effluent into the Thames, lowering oxygen lev-

els in the water. "Taken together, these conditions made it very difficult for salmon, which are fastidious fish, to get through the tideway and into the freshwater reaches of the river, which they must do if they are to have a chance of spawning," Mr Armstrong said.

"There is little doubt that drought was the critical factor, even if other things may have been happening out at sea which we do not know about. There have been dry periods before but we could now be facing a permanent climate change."

The setback comes just as the salmon restoration project was about to enter a crucial new phase with the start of work later this month on the first of 17 fish passes on the Kennet, which flows into the Thames at Reading, at a cost of £1.3 million.

The Millennium Commission has donated £588,000, the Thames Salmon Trust, a char-



ity that raises funds from commercial sources, is providing £428,000 and the Environment Agency has agreed to make up the balance.

The Kennet is thought to offer the best spawning grounds for salmon, which like to lay their eggs in riverbed gravel washed by shallow, well-oxygenated water. The Thames itself, at least in its lower reaches, can no longer provide such sheltered sites. The passes will allow salmon to move from lower to

higher levels of the river with minimum effort up gently sloping channels built into the side of the weir. There are already 21 passes between Teddington and Reading.

Since 1995, scientists have trapped and radio-tagged many of the returning salmon and monitored their further progress upstream via a series of listening posts. The design of the Sunbury pass had to be modified after it was found that 50 per cent of fish were failing to get through it.

"Salmon are capable of jumping over weirs unaided," Mr Armstrong said. "Indeed, one was recorded as far upstream as Godstow, near Oxford, in the early 1980s. But we need virtually all returning salmon to reach the spawning grounds and not just a few super-athletes."

Scientists think that at least 1,000 salmon will need to return each year to the Thames for there to be any chance of reestablishing a truly natural population.

Goats fall victim to appeal of Irish music

BY AUDREY MAGEE, IRELAND CORRESPONDENT

THE popularity of Irish music is exacting a heavy toll on wild goats in the west of Ireland. They are being hunted for their skins by rustlers capitalising on the increasing international demand for the bodhran, the traditional hand-held Irish drum.

The Irish Society for the Prevention of Cruelty to Animals is investigating farmers' reports that goats have been rounded up and killed along the west coast, particularly in the counties of Galway and Clare. The animals are skinned and the hides sold to drum makers, who are working to keep up with demand for the bodhran.

Malachy Kearns, Ireland's most renowned bodhran maker, said that he receives weekly calls from dealers offering goat skins for sale. "I have my own network of suppliers and do not get involved but it is obvious that these goats are going out into the woods and mountains to take shots at the goats," Mr Kearns said. "They don't have a clue about what they are doing but have heard bodhrans are fashionable and want a quick way to get some money for drink and drugs."

Since the Irish music and dance show Riverdance hit the international stage in 1994, the demand for bodhrans has surged. When he started his drum-making business in Roundstone, Co Galway, 15 years ago, Mr Kearns wondered how long it would survive. Today he is working in a £4 million industry, employ-

ing 30 other part-time drum-makers around Ireland. Almost three-quarters of the 15,000 instruments are exported and advice on how to play it is on the Internet.

The bodhran can be made with synthetic material and thousands of cheap drums are produced in Taiwan. A proper bodhran, acceptable to musicians such as Christy Moore, is treated goatskin stretched across a beech hoop, costing from £50. Many of the bodhran makers use skins from India and Africa. Mr Kearns tried them but found them too brittle and resorted to the Irish goat.

He said: "Bodhrans have to be very tough. It is not just any type of goatskin — it has to be strong enough to tolerate the bounce of the drumstick. The goat must be well fed and looked after to produce that kind of skin."

No precise figures are available but it is estimated that only a few thousand wild goats survive today, most of them along the west coast. In 1994 the EU sought to give the animals special status under the environmental protection scheme. The initiative failed, however, when farmers objected, complaining that the goats were pests and destructive of crops, leaving the animals vulnerable to rustlers.

They shoot or lasso the goats and drag them to a waiting van. Each hide fetches about £10 while the meat is sold to factories. Meat from kids fetches a good price in some Dublin restaurants.



The best bodhrans, which cost from £50, are made from the treated skin of a well-fed goat

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Boffin aged ten solves peace quest with pet project

By PAUL WILKINSON

PET CHEATS

- 1 Get on to the clock function
- 2 Press buttons 1 and 3
- 3 When the word "set" appears, press button 1 to change hour and button 2 to change minute
- 4 Your cyberpet must go to sleep every night at around 9pm. If you make sure it is satisfied, then set the clock to around ten minutes before it goes to sleep at night. Make sure you have it set to put. Do this before school, switch off its light and it will remain happy for 12 hours.
- 5 To wake up repeat the above procedure but set to am not pm.



Back to reality: Todd Green had discovered how to keep his cyberpet alive yet silent, but then his mother put it in the washing machine

TODD GREEN has come up with a solution to one of the biggest problems facing young people in the closing stages of the 20th century — how to keep cyberpets silent yet alive while their owners are at school.

At the age of ten, Todd's moment of popular acclaim in the world of scientific discovery was slightly marred yesterday. Even as teachers and manufacturers were hailing his work, his mother accidentally put his latest cyberpet in the washing machine, rendering it silent but dead.

Electronic pets have been banned from many of Britain's classrooms after driving teachers to distraction by their frequent beeping for attention. Their owners are reluctant to leave the gadgets at home, where their calls for feeding or playtime can end in "death" if not answered.

Todd, from Hillsborough, Sheffield, found an old-technology answer: Cheat. In a letter to *The Times Educational Supplement* he tells owners to fiddle the toy's clock setting from am to pm, to make it believe that school time is night-time when it should be asleep. It was a natural advance for the boy who fixes the family computer when it baffles his father, a university lecturer. In his letter, Todd

announces: "I have researched cyberpets and figured out a way to switch them off without killing them for up to 12 hours. For all those people who are desperate to keep them alive without being told off, here are five simple instructions. This works on most cyber pets."

Todd, a pupil at Marldiffe primary school, said yesterday: "The pets are not yet banned at my school, but the

teachers were really getting cross. So I sat down and tried to work out how to switch my cyberpet off without killing it. It took me three days.

"Sadly my latest one is completely dead now, my mother put it in the washing machine by accident this morning and it is finished."

His father Keith, 43, a linguistics lecturer at Sheffield Hallam University said:

"Todd is a real cyberpet expert, in fact he's a real computer expert. He fixes anything that goes wrong on my machine when I don't have a clue."

"He's on his fifth or sixth cyberpet since I queued for hours to get him his first one last January. He acquires a more complicated one each time and passes the old one on. He's known as the boffin among friends at school. They

bring their cyberpets to him when they need special attention. He's a sort of cyberpet consultant. At one stage he was looking after about five or six of them for his friends."

"I suppose he wrote to the TES because of his parents' background. I am at university and his mother is retraining to be a teacher." Todd has two younger sisters, Faye, eight, and Kai, five, but nei-

ther are great cyberpet lovers. "Kai has a hamster" said her father. "She prefers the real thing."

A spokesman for Bandai, the original manufacturers, said: "Our cyberpets have always had the facility to reset the clock without killing it off, but we have only recently included instructions on how to do it in the literature. The method described by Todd is

exactly right. Once the set mode is displayed, the operation of the cyberpet is suspended anyway until it receives further instructions."

Cyberpets were included in a service to bless animals at the parish church of Chandler's Ford, Southampton. The Reverend Adrian Harbridge said: "If a cyberpet teaches children to not just think of themselves, then I think it is of value."

Social services knew of child sex killer

By SHIRLEY ENGLISH

A CONVICTED sex offender who abducted and strangled a nine-year-old schoolboy while under the supervision of social workers was sentenced to life yesterday with a recommendation he serves at least 25 years.

Steven Leisk, 34, pleaded guilty to abducting Scott Simpson with intent to commit a sexual offence and strangling him with a scarf on July 17 this year. He also admitted previous sex attacks on two 14-year-old boys.

Scott went missing after a football game in a local park in Aberdeen. His body was found four days later in the early hours of July 22.

It emerged that the killer, who had four previous convictions for sex offences and had been released from prison in December under supervision, had been living across the road from the children's park used by Scott in the Powis area of the city.

The former army medical orderly, who served in the Falklands, was on a police list of sex offenders and under the supervision of Aberdeenshire social services department. But the High Court in

Aberdeen was told that social workers failed to alert police to the possible threat despite a highly publicised four-day search for the missing boy.

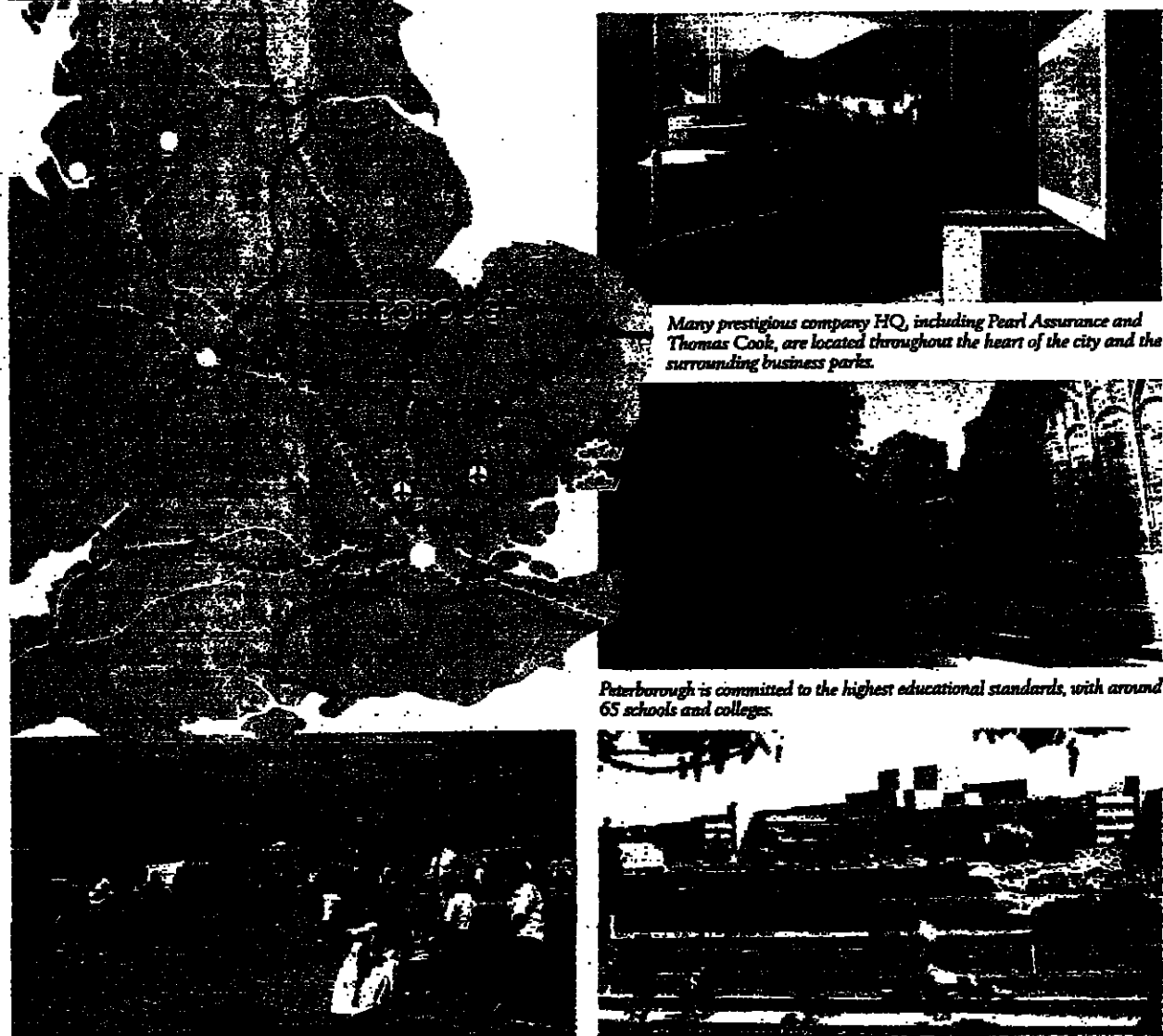
It fell to a concerned member of Leisk's family, who has not been identified, to contact the police. It was then that officers called at the paedophile's home and he confessed to the killing.

Scott's parents demanded a public inquiry into what they claimed was the atrocious handling of the case by police and social workers who yesterday were refusing to admit mistakes had been made.

Peter Cassidy, head of social work at Aberdeenshire Council, defended the member of staff responsible, claiming that he did not believe Leisk was worthy of suspicion despite his appalling past record. According to the social worker he had appeared to be making progress in his life.

However, it emerged that Scottish office guidelines recommending twice monthly visits had not been maintained. He was only seen eight times by social workers between his release and the murder.

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Naming of failing schools to continue

John O'leary and David Charter report on a policy branded a stunt

MINISTERS promised yesterday to carry on "naming and shaming" the worst schools despite teachers' claims that the approach was a political stunt with no educational value.

David Blunkett, the Education and Employment Secretary, announced that four of the 18 schools which in May were given six months to improve or face closure were no longer failing their pupils. Two schools, Blakelaw Comprehensive, in Newcastle, and

Handsworth Wood, in Birmingham, will close, although Blakelaw will reopen under a new name. The fate of the remaining dozen will be reviewed before the end of the school year. Mostyn Gardens primary school, in Lambeth, South London, and Selhurst High School, in Croydon, are still causing "serious concern" and could close.

Question marks also hang over two schools whose viability is being reviewed by their local authorities. A decision

will be made on Earl Marshall school, in Sheffield, before the end of the year, while Dulwich High School, in Southwark, South London, is the subject of a long-term review.

Teachers' leaders and the heads of some of the 18 schools said that improvements were taking place before ministers published their list. Mr Blunkett said yesterday that the process would continue. "Those who thought it was a gesture are going to get a very rude awakening," he said.

that the Government's action had triggered improvement in schools where there had been long-term failure. "I make no apology for it. I will continue doing it."

Nigel de Gruchy, general secretary of the National Association of Schoolmasters and Union of Women Teachers, said Mr Blunkett's comments were "pure self-justifying fiction". Doug McAvoy, general secretary of the National Union of Teachers, said: "Naming and shaming was for media manipulation. It had no positive impact and no educational validity." David Hart, general secretary of the National Association of Head Teachers, said: "Yesterday's announcement is a shallow attempt to give credence to a political stunt."

Their criticisms were shared by the head of the most successful of the 18 schools. Jean Millham, of Morning-side Primary School, in Hackney, East London, said: "This school was improving long before the naming and shaming. We had not had an inspection since November. They condemned us six months later without bothering to pay us another visit. It just knocked everyone back and hurt the parents, children and teachers. I hope they will learn this is not the way to do it." She conceded that extra money and specialist advice



Russ Wallace, head of Blakelaw School, said that the "naming and shaming" was a catalyst for change

under the policy had allowed the school to speed up its improvement programme.

Russ Wallace, head teacher at Blakelaw School, Newcastle, said the announcement in May was a catalyst for change. Blakelaw will get a "fresh start" next September with a new name and new staff. "Our initial reaction to the naming and shaming was abhorrence and disgust," he

said. "But then we thought, 'We are not going to take this lying down. Let's see what we can do.' A lot of people did not want to send their kids here because they were worried that the school was going to close. Now that that danger has been taken away, we can begin rebuilding."

The "naming and shaming" was also criticised by Roger Coxon, head of Handsworth

Wood Boys' School, Birmingham. "You can't solve complex problems in inner-city schools by further damaging their reputation and driving parents away," he said.

The progress made by the majority of the 18 schools allowed yesterday's announcement to be one of "naming and acclaiming", according to Stephen Byers, the minister responsible for the initiative. "In

many of those schools the fact that they were identified galvanised them into action."

Chris Woodhead, the Chief Inspector of Schools, said the exercise represented a success story. Fifteen more schools were yesterday removed from the list of those needing special measures, bringing to 55 the number that had "turned themselves around" after failing an Ofsted inspection.

INSPECTOR'S REPORT

Abbey Farm Middle School, Thetford (failed January 1995): Good progress, likely to come off failing list next term.

Ashburton High, Croydon (October 1995): Reasonable progress, new permanent head teacher but budget problems remain.

Blakelaw School, Newcastle (April 1996): Reasonable progress, new acting head backs LEA plan for "fresh start" next September.

Dulwich High, Southwark (April 1995): Reasonable progress, LEA still considering long-term future.

Earl Marshall School, Sheffield (August 1995): Reasonable progress, LEA considering school's future before end of year.

Handsworth Wood Boys' School, Birmingham (April 1995): Reasonable progress but closure planned at end of school year.

Kelley Park GM School, Bromley (March 1996): Reasonable progress, standards improving but budget problems remain.

Lea Green Special School, Waltham Forest (January 1996): Good progress, likely to come off failing list next term.

Lillian Bayliss School, Lambeth (April 1994): Good progress, likely to come off failing list next term.

Morningside Primary, Hackney (January 1995): Good progress, removed from failing list last week.

Mostyn Gardens Primary, Lambeth (September 1995): Limited progress causing "serious concern", new head and deputy start next term.

Our Lady of Fatima GM School, Liverpool (March 1996): Reasonable progress, new head teacher in post.

Rams Episcopal Primary School, Hackney (April 1995): Reasonable progress, action on weak teaching and standards improving.

St Mary of the Angels, Westminster (December 1995): Reasonable progress, standards improving, new head arrives next term.

Selhurst High, Croydon (June 1995): Limited progress causing "serious concern", 15 teachers warned to improve by Christmas or leave.

South Benwell Primary, Newcastle (April 1995): Limited progress but new head showing strong leadership.

Southfields GM School, Gravesend, Kent (April 1995): Reasonable progress, standards improving, new governors to be appointed.

Upbury Manor GM School, Gillingham, Kent (April 1995): Reasonable progress, standards improving.

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Exam results provide proof of turnaround

By DAVID CHARTER, EDUCATION CORRESPONDENT

DULWICH High School found itself "named and shamed" less than a year after its own relaunch when it changed its name and adopted a smart new uniform. The name it discarded, William Penn Comprehensive, had become synonymous with failure and infamy as the school that Harriet Harman passed over when she chose a grammar school for her son.

Unconvinced about the future of the southeast London boys' school has not been dispelled by yesterday's report, which calls for inspectors to continue closely monitoring its progress. Dulwich High was classified as failing two-and-a-half years ago and spent £100,000 on its revamp in September last year.

After the "naming and shaming" announcement in May, the school blamed ministers for tarnishing its new image without giving teachers

enough time to transform the school's fortunes. More bad publicity was to follow in July with the trial of a 15-year-old pupil for stabbing another boy in the thigh. The jury cleared him of wounding with intent after hearing that bullying was rife at the school and the teenager acted in self-defence.

Lloyd Marshall, the head teacher, said: "The naming and shaming was totally unnecessary and unhelpful. I just wish people would be aware of the context and give my staff credit for the amazing work they have done."

He said that it was not unusual for almost three-quarters of 11-year-olds to arrive at Dulwich High with a reading age below nine, forcing the teachers to concentrate on the basics.

Evidence of the school's improvement has been provided by the pupils themselves. In this summer's

GCSE examinations, 22.5 per cent gained five or more A to C passes, compared to 9 per cent the year before, and in September 73 pupils joined Dulwich High compared to 45 the previous year, a sign that local parents were regaining their faith in the school.

The school was assessed by Gus John, former director of education in the east London borough of Hackney, who found it being used as a dumping ground for expelled pupils from all over south London. He concluded that had a future provided pupils numbers did not fall further and that teaching and discipline were addressed.

Southwark council said: "There have been some improvements at the school but there are continued concerns about behaviour, attendance and the quality of teaching. Further evaluation is now being considered."

Finishing school in a class of its own

By ALAN HAMILTON

A PEER's wife and a former Buckingham Palace butler are to open a school for butlers in Gloucestershire, teaching skills ranging from polishing silver to ordering wine on the Internet.

Student butlers, who can earn between £15,000 and £20,000 a year when fully trained, will have to pay £3,000 for the eight-week course being run by Sara Apsley, 32, a former beauty queen who is married to the son of Earl Bathurst, the heir to a 3,500-acre estate at Cirencester. Her business partner is Michael Shaw, 28, who worked for four years as a butler at the Palace.

Lady Apsley said yesterday that there was a healthy demand for butlers across a wide social spectrum. "Butlers are not a status symbol. They are a necessity if you have a certain lifestyle, such as a professional couple who are constantly travelling and need someone to keep things in order back home."

Trained at the school, in a converted barn at Cirencester Park, where the Prince of Wales used to play polo, will be taught how to wait at table, decant wine, book holidays and order theatre tickets, as well as being made computer-literate.

Lady Apsley said the quality which made a good butler was the desire to look after people. And she might have added, the ability to lay hands on a ticket for England v South Africa at Twickenham on November 29.

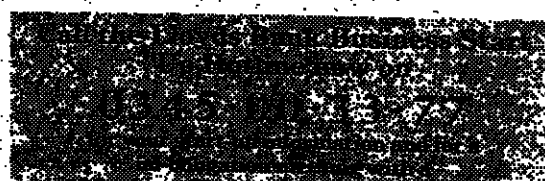
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Woodhenge find rivals stone circles



An illustration of how a wooden henge may have looked under construction. At Stanton Drew, where the only visible remains are later standing stones, right, there were nine concentric circles of oak pillars a metre in diameter

5,000-year-old temple 'start of British habit'

By Nigel Hawkes, Science Editor

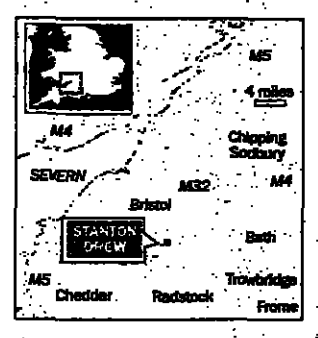
ARCHAEOLOGISTS have discovered traces of a huge and elaborate wooden temple dating back 5,000 years. Evidence shows that it was once one of the most important ceremonial sites in England, comparable in significance to Stonehenge.

Nine concentric rings of oak pillars once stood on the site at Stanton Drew in Somerset, surrounded by an enormous ditch. Each upright would have been up to a metre across and probably stood eight metres above the ground. All that can be seen today is a later stone circle. Such wooden henges are unique to Britain, and this one is twice as large as any of the other seven known.

The traces were found by archaeologists from English Heritage while they were carrying out a routine survey, using instruments that can detect small magnetic anomalies in the soil without disturbing the surface.

To our surprise and delight, what emerged was a timber temple of about 3000 BC," said Geoffrey Wainwright, chief archaeologist at English Heritage. "There is now no timber left - it would have decayed long ago. But the disturbance of the soil when the pits were dug to take the uprights shows clearly."

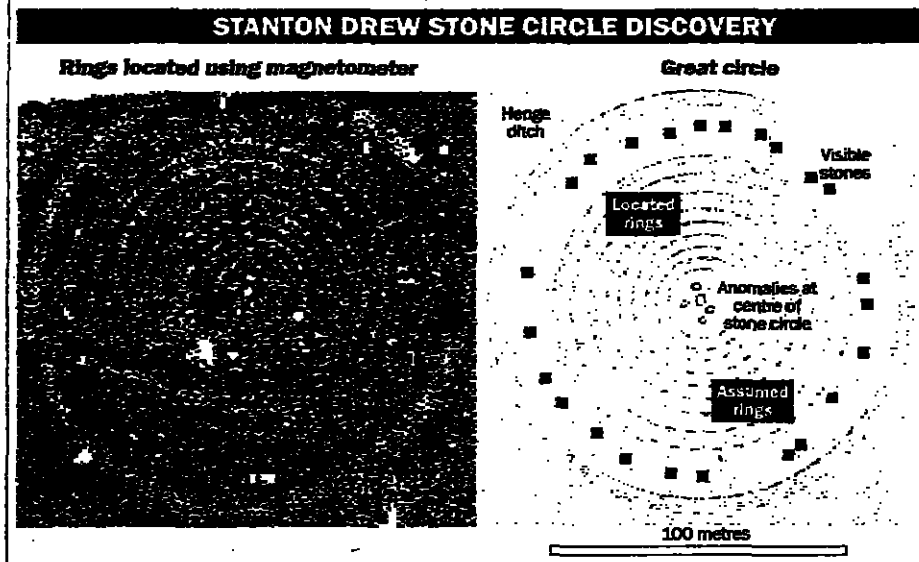
Andrew David, head of archaeometry at English Heritage, estimates that there



them with plentiful crops, or healthy herds of animals. "By this period, a social structure was developing, with distinct tribal areas. The temples were focal points for these tribes, where they gathered and held feasts. Other wooden henges contain masses of pig bones, along with decorated fragments of pottery. It looks as if the people deliberately broke the pots and scattered them around."

At the time, the population of Britain may have been as great as one million, according to Dr Wainwright. "It's a great mistake to think the people who built this place were rude, untutored, starving individuals. They were very sophisticated with successful agriculture and made beautiful items such as carved stone axes used for barter."

The technique used to find



the hidden rings makes use of the fact that any disturbance of soil tends to affect its magnetism. Until a few years ago, magnetometers sensitive enough to detect the anomalies at Stanton Drew did not exist. The existence of the post holes could have been found by conventional digging, but the site has not been dug in recent times.

The ring shows no evidence

of having been orientated with any astronomical purpose in mind. Nor is it known whether the uprights were carved or decorated, although Dr Wainwright believes that they were. "It is very hard to think of a structure like this with nine concentric circles not being carved in some way," he said.

He suspects that the carving might have been like that on contemporary pottery, which

carries geometrical patterns and spiral motifs. "The patterns are quite stylised and relate to tribal territories, we believe. It would be very surprising if these motifs were not replicated on the timber uprights."

A complete excavation of the site is not planned, as it would be unlikely to provide much more information than the magnetic survey. A small dig may be conducted to confirm that the rings are indeed the remains of post holes, although there is little doubt that they are.

Sir Jocelyn Stevens, Chair-

Bride eager to dance had Devil to pay

By Simon de Bruxelles

THE ancient mysteries of Stanton Drew are no secret to the landlord of the Druid's Arms, John Newcombe. He has three of the standing stones in his beer garden, the largest 12ft high.

"The local legend is that they were the guests at a wedding party who were turned to stone," he said. "The ones in my back garden are the bride, bridegroom and best man."

Every midsummer's eve, he says, a small group of strangely dressed people arrive to dance around the stones. "I don't know who they are but they aren't druids," he said. "They wear little caps and hats and carry things like Devil's forks."

"As long as they don't scare away my regulars I don't care what they get up to. They have these little candles like night-lights and I go out in the morning to clear them away but they never make any other mess."

According to the Robin Bush, the Somerset historian and member of Channel 4's Time Team, Stanton Drew means "Drew's town near the stones" and is mentioned in the Domes-

day Book. One of the stones has a hole in it and was once much larger. Mr Bush said: "It was called Hautville's Quoit, after a medieval lord. Sir John Hautville, whose tomb is in a church near by."

"The local legend was that he had thrown it there. It once stood in the middle of the road but over the years has been chipped away at, partly to get stone to put on the road itself."

The stones at Stanton Drew were considered to be the third most important prehistoric monument in Wessex after Stonehenge and Avebury. The 17th-century antiquary John Aubrey recorded the legend of the wedding party in 1664.

According to Aubrey, the fiddler went home before midnight to avoid playing on the Sabbath and the bride announced that she would 'go to hell for another fiddler'. Another fiddler appeared and played until dawn, when he revealed himself as the Devil and turned the assembled throng to stone.

No one believes that story any longer. Except, of course, on midsummer's eve.

BUILDERS OF THE OAK TREE MARVEL BEAT GREAT PYRAMID BY FOUR CENTURIES

The Great Pyramid at Giza, right, was not even on the drawing board when the wooden henge at Stanton Drew was built. The building of the henge dates from about 3000 BC, while Cheops did not build the pyramid until 2590 BC. The builders of the henge were near-contemporaries of those who invented the wheel in Mesopotamia, and

the sail in Egypt, both in about 3500 BC. Bronze casting and the plough were known in the Middle East, but not in Britain. Writing had just been invented in Sumer. Stonehenge itself existed, but like the temple at Stanton Drew it was made of wood, not stone. The Stonehenge we know today did not assume its final form until 2000 BC.

The henge was built in much the same way as Stonehenge. Pits up to four metres deep were dug, and ramps arranged alongside them. The oak pillars were dragged and pushed until they overbalanced into the pits, and were then pulled upright. The wooden henges would have lasted for 300 to 400 years before needing replacement.



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Blunkett launches skills taskforce

BY CHRISTINE BUCKLEY

DAVID BLUNKETT, the education and employment secretary, yesterday launched a taskforce that will harness government resources, employers and unions to tackle skill shortages in employment.

Mr Blunkett said that £150,000 would be spent on forging better vocational links between industry and universities and there would be steps to make school leavers better prepared for work.

The move follows growing concern over skill shortages among workers in a variety of industries. John Cridland, the CBI's head of human resources, said: "Skill shortages are certainly increasing as unemployment continues to fall. In the past this has led to constraints on business growth and to wage inflation. It is important, therefore, to avoid such constraints over the coming months."

Hague warns of EMU risk to millions of jobs

Businesses are told they could be trapped in a burning building with no exits. Jill Sherman reports

WILLIAM HAGUE launched a robust attack on plans for monetary union yesterday, warning that millions of jobs could be lost if Britain joined.

The Tory leader used his speech at the Confederation of British Industry (CBI) conference to spell out what he said were the dangers of early entry into a European single currency and to justify his party's decision to rule out supporting British membership for ten years.

The address, in stark contrast to Gordon Brown's dose of Euro-enthusiasm two hours earlier, portrayed a nightmare scenario similar to the debacle of Britain's exit from the exchange-rate mechanism (ERM) in 1992. Millions of people up and down the country, Mr Hague said, then paid the highest price of all in lost jobs, repossessed homes and bankrupt small businesses. The same could happen now, he suggested. "Getting something like this wrong is not just an academic error or an argument at conference. It affects the jobs of millions. Unlike the ERM, the single

currency is for all time. British business could find itself trapped in a burning building with no exits."

Tomorrow Mr Hague faces a showdown with his own party over the ratification of the Amsterdam Treaty, which he will insist on opposing with a three-line whip.

Yesterday, in a speech which earned him a surprisingly warm reception, he made clear that he was determined to stick to the tough position on EMU agreed with the Shadow Cabinet three weeks ago. "The truth is that the supporters of British membership of a single currency tend to fall back on one central argument that overshadows all others. They say: 'It's going to happen and that we can't possibly be left out.' It is the argument used by every lemming throughout the cen-

turies and it does not bear close scrutiny."

But in a veiled reference to trouble makers in his own party, such as Michael Heseltine and Kenneth Clarke, he said he intended to ensure that the debate stopped being an argument about personalities, about who was on what side, "and start becoming an argument about what the actual issues are."

Mr Hague based his argument on the economic rather than political consequences of EMU. "Targeting the exchange rate means prices and labour costs must be able to go down as well as up. To begin with, it looks easy. The stockmarket booms. Property companies make a fortune. The high street is packed. But the Government cannot raise interest rates to stop the boom overheating. So the boom has

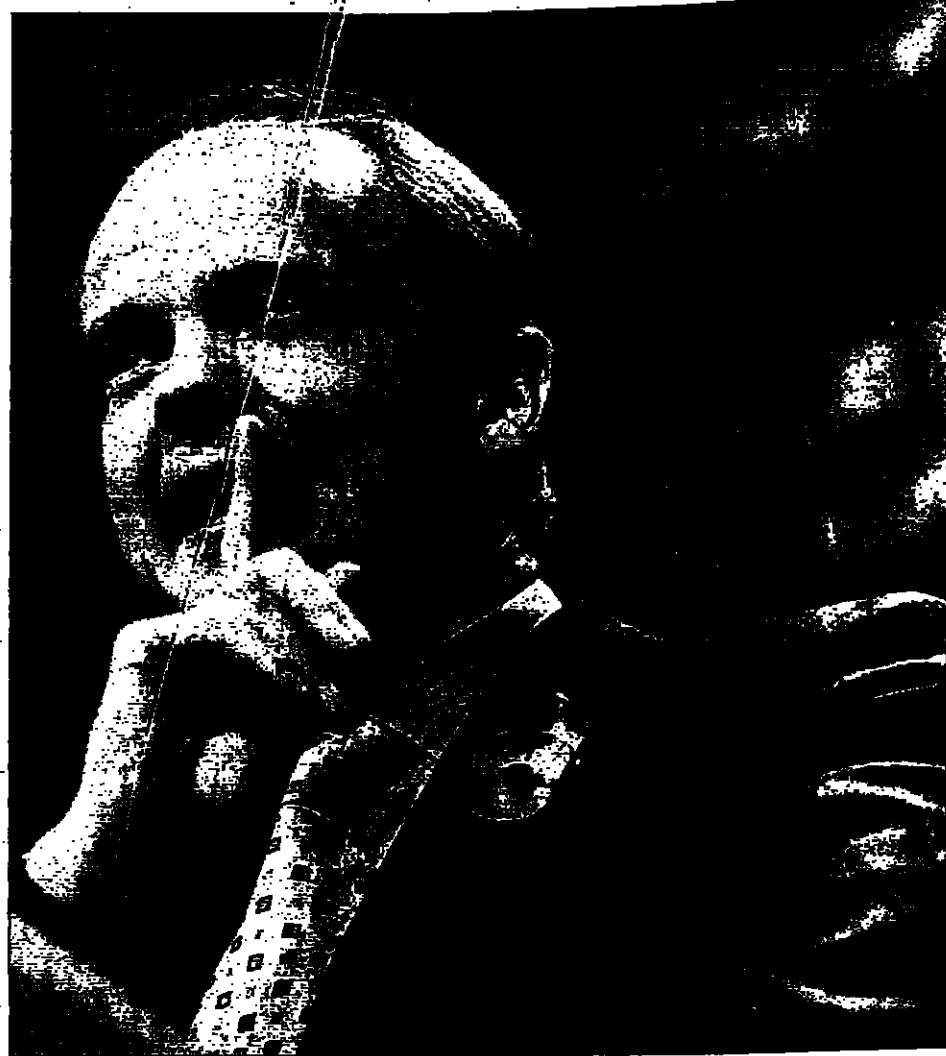
to be followed by a savage deflation to get prices back into line."

It would mean asking people to take a cut in wages and could mean higher corporation tax. "If the nightmare of our experience in the ERM teaches us anything it is not to steer by the siren voices of a supposed consensus, but to exercise the independent judgment of a cool head."

The single currency carried fundamental risks, he said. "For this reason the Conservative Party believes it is a mistake to commit this country in principle to joining a single currency. We oppose Britain joining a single currency during the lifetime of this Parliament and we intend to campaign against British membership of the single currency at the next election."

It was a clear, unambiguous position, he said. "It is also a pragmatic position based on what we believe to be in the vital interests of British companies and the British people."

Anatole Kaletsky, page 22
Leading article, page 23



William Hague, who was given a surprisingly warm reception by the CBI yesterday

Brown plans to encourage early use of the euro

BY JILL SHERMAN, CHIEF POLITICAL CORRESPONDENT

THE Government is to bring forward legal measures to help British business to use the single currency from its launch in 1999. Encouraging companies to use the euro well before Britain joins monetary union will be seen by Eurosceptics as EMU entry by the back door.

Gordon Brown, the Chancellor, disclosed yesterday that he is considering new laws to make it easier for companies to issue shares in euros. Firms will also be able to hold euro bank accounts and pay taxes in the currency from 1999.

While Treasury aides denied that the euro would be shadowing the pound, the Chancellor went much further than his statement to the Commons two weeks ago, when he underlined the need to prepare for the euro. He made a pro-European speech designed to reassure the CBI that business need not lose out from Britain's decision to delay entry.

The Chancellor has been criticised by some businesses for ruling out Britain's entry into economic monetary union before the next election. But yesterday he disclosed that the committee preparing for the changeover to the euro will

consider amending the Companies Act to make it easier for British firms to issue shares in euros and to convert existing shares into euros.

"Following the advisory group's advice, we will look at any other legislative steps the Government should take to make the euro easier for firms to use," Mr Brown said.

From 1999, the British banking system would be able to process payments in euros. "This should make it much easier and cheaper for banks to offer euro services to their UK customers," he said.

The Government would also work with banks to introduce an official seal of approval "so that firms and individuals could identify banks which offered reliable information about the euro, and allow customers to bank in euros without paying high charges".

Ministers would also work with accountancy firms, trade associations and others to make sure that they were provided with consistent information. Mr Brown announced that he had sent an information pack to the top 1000 British firms with details of business preparations for the euro.

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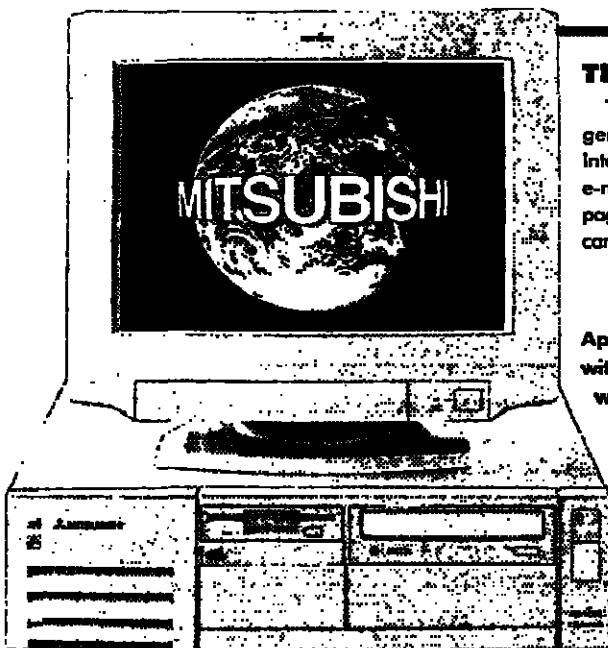
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Businessmen in single currency showdown

Critics round on enthusiasts promoting a 'golden scenario'

By Philip Bassett and James Landale

BUSINESS leaders clashed yesterday on whether Britain should join the European single currency.

Barclays Bank warned the Confederation of British Industry's annual conference in Birmingham that Britain's participation would cut wages and jobs, while BMW said that to stay out would jeopardise future inward investment.

Sir Stanley Kalms, chairman of Dixons, attacked the single currency and accused the CBI of being in no position to speak for British business on the matter. He said that joining economic and monetary union would be the ultimate leap in the dark.

Sir Stanley, who yesterday led a group of businessmen writing to *The Times* to criticise the CBI for its declared support for the single currency, said that the "CBI hierarchy" was unrepresentative. He condemned the membership polling on EMU, saying: "I reject outright its methodology and conclusions."

He went on: "The CBI leadership has claimed the high ground in the argument to join EMU but it has failed to present the full picture. All we have is the golden scenario. The pro arguments are applauded, the cons are minimised, the debate is rarefied. On this subject the CBI has not earned the right to speak for British business. We are not at one."

Sir Stanley said that the single currency represented a huge stride towards a federal superstate. Increased regulation would impose further burdens on business, and EMU would hold back plans to enlarge the EU. "Under the present ill-thought-out criteria, the whole project may well prove unworkable. The single currency represents the ultimate leap in the dark."

Calling on business to "re-

sist the pressure to join the federalist bandwagon", he said that a single currency would be "irreversible, irrevocable and inalienable."

Martin Taylor, chief executive of Barclays Bank, said that the single currency would lead to wage cuts and higher unemployment because without the buffer of exchange-rate fluctuations only labour markets would be able to take the consequences of economic adjustments. Insisting that he was not a Eurosceptic, he said: "I have been a Europhile all my life. But I am an EMU-sceptic. The most important thing is that EMU must not fail. It must be a success. It's a wonderful project, but it has

not merely because it is slightly inconvenient to stay out."

Mr Taylor said it was clear that only political integration could make monetary union work. It would require an increase in the EU budget and would not work without a federal taxation system.

In his CBI presidential speech, Sir Colin Marshall, the British Airways chairman, said that the CBI and the Government now stood "more or less shoulder-to-shoulder on the EMU question". He said he was disappointed at some critics of the CBI's position on monetary union. "What I object to is purposefully distorted argument which claims that the CBI is not truly representative of British business, as a whole, but merely serves the purpose of the major corporations and multinationals." He dismissed as ludicrous the suggestion that the CBI was motivated by political bias.

Niall Fitzgerald, Unilever chairman, said that Britain was in danger of falling into the same trap on EMU as it had done with the creation of the Common Market. Attacking the "superior, sceptical detachment" that had dominated British thinking on Europe for 50 years, he said: "Too many people in Britain have spent the last few years deluding themselves. Some hoping that, if we all shut our eyes tightly enough, the single currency would somehow go away. Others arrogantly assuming that, if Britain didn't like the idea, it just wouldn't happen."

Thankfully, we are rapidly being shaken out of our comfortable illusions. Monetary union is going to happen, on time, and with a majority — and maybe the vast majority — of EU countries as members."

Monetary union would bring the benefits of open

6 Let's trade with Europe, but let's not share the same bank account

fundamental flaws at the moment and needs tremendous reforms to make it work."

The fundamental difficulty was that while a single currency was obviously attractive, the single monetary policy it implied was harder to understand and potentially damaging. Britain faced making one of two mistakes — dragging its feet and falling behind the European endeavour, as it had done before, or linking sterling to the Mark, which had been a "complete disaster" twice in the past 12 years.

The CBI's own record on exchange-rate advice had been "lamentable", and of the single currency he said: "We should join it and only if, when and only when, it is in our clear interest to do so —



Wim Duisenberg of the European Monetary Institute, and (top right) Bernd Pischetsrieder of BMW encouraged Britain to join, but Sir Stanley Kalms of Dixons (centre right) and Martin Taylor of Barclays sounded strong warnings



partner at Grinley and chairman of the Avon CBI expressed caution. "Do we really want to hitch our wagons to one of the slowest economies in the world? Let's see if Europe makes a success of the euro and then let's see if we should join. Let's trade with the rest of the world and Europe but let's not share the same bank account."

Anthony Cowgill, director of British Management Data Foundation, said: "The CBI has been wrong regularly on all major issues which have faced this country in recent years and it is wrong again now. The basic figures of the CBI survey don't reflect the serious concerns felt by many and are seriously misleading." The CBI, he said, was letting the economic argument for entry cloud the risks and uncertainty. "The gut feeling of the country against giving up our democratic control of the country is right and should be supported," he said.

Colin Perry, chairman of LITE Scientific Ltd, and vice-chairman of the CBI's small businesses council, said: "The overwhelming opinion of small and medium sized businesses is to join EMU at the earliest practical date."

Jeremy Woolridge, managing director of BE Wedge Holdings Ltd, said he opposed Britain's membership of EMU. "Personally I would rather accept the view of the Spice Girls, who I believe are on record of being against a single currency. At least they weren't wrong on joining the ERM."

David Lovatt, chairman of Acme Marls Ltd, told Gordon Brown that his company was being damaged by the strength of sterling. "We are on a rollercoaster [to EMU] and I have to accept it. I would prefer us not to wait for 4 or 5 years before joining but to go in in the first band. I believe if we don't do that, we are going to find our pound will be highly valued and that damages me and my company."

Bill Good, managing director of Sterling Tubes, said that the Chancellor had a responsibility to prevent British industry feeling the "pain" from an overvalued pound. "We are being seriously undermined by the high level of the pound."

economic grounds. In that light, it was "essential" that UK economic policies remained aimed at further economic convergence in Europe.

Digby Jones, senior partner at Edge and Ellison and vice-chairman of the West Midlands CBI, called for any decision on EMU to be made in the interests of business. "I hope that for once we don't do the usual very British thing and kick and scream at the sidelines and then when it is suitable for everyone in the world but the British, in we go."

Edward Lamb-Stoate, while the single currency debate in Britain often focused on "psychological and political aspects such as the so-called transfer of sovereignty", he said the Chancellor was right to make clear that EMU also needed to be assessed on

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مركزاً من راحل

The Louise Woodward judgment

A full text of Judge Hiller Zobel's

16-page ruling, based on his

"intensive, cool, calm reflection",

which was sent to worldwide news

agencies and posted on the Internet

THE law, John Adams told a Massachusetts jury while defending British citizens on trial for murder, is inflexible, inexorable, and deaf inexorable to the cries of the defendant, "deaf as an adder to the clamours of the populace". His words ring true, 227 years later.

Elected officials may consider popular urging and sway to public opinion polls. Judges must follow their oaths and do their duty, heedless of editorials, letters, telegrams, picketers, threats, petitions, panellists and talk shows. In this country, we do not administer justice by plebiscite.

A judge, in short, is a public servant who must follow his conscience, whether or not he counters the manifest wishes of those he serves; whether or not his decision seems a surrender to the prevalent demands.

1. Pertinent evidence

Reduced to its appropriately bare essentials, this case turns on diametrically opposed theories of ultimate causation. Both sides agreed that Matthew Eappen died from massive intra-cranial bleeding. The prosecution's experts attributed the haemorrhage to a combination of extraordinarily violent shaking and overpowering contact with a hard flat surface, all occurring some time on February 4, 1997; the defence experts ascribed the haemorrhage to a "re-bleed" in a clot formed about three weeks earlier following a hitherto undetected injury.

The Government buttressed the scientific evidence with testimony that the baby had been normal earlier in the day; that defendant had been the only adult in his presence throughout; and that she had admitted to police that she had been "a little rough" with him when putting him on a bed, bathing him, and placing him on the bathroom floor.

The defence relied for rejoinder entirely on the testimony of defendant herself, who denied handling the child in an inappropriately vigorous manner, although she admitted that perhaps she had "not been as gentle as I might have been" with Matthew.

Thus stripped of the jargon-filled overlay with which both sides filled the record, the issue for the jury's determination was simply: Did the Government prove beyond a reasonable doubt that Matthew Eappen died because defendant shook him and battered him against an unyielding object? Put another way: Did the defence evidence create a reasonable doubt that the death resulted from some other cause?

2. Motion for a required finding of not guilty

It is essential to understand that at no time was Defendant obliged to prove anything. The jurors were never required to choose between competing explanations. If the Government's theory failed to win them over, beyond a reasonable doubt, their inquiry was complete: the defence's inability (if inability it was) to explain Matthew's injuries and their cause would make no difference.

The law never, in any way, demanded of Defendant that she provide a jury-satisfying answer to any question, whether medical (how old was the fatal haemorrhage?) or physical (what had Defendant done to Matthew?). Thus a verdict of guilty could not properly result from the jury's merely rejecting the defence's physiological explanation as inadequate or Defendant's version of the events as implausible.

The jury could return a guilty verdict only if, in addition to an adverse assessment of the defence position, the jurors concluded, on all the evidence, that the prosecution's version was true, beyond a reasonable doubt.

To escape reasonable doubt in the present case, a jury would have to disbelieve all the evidence contradicting the Government's hypothesis. The jury would have to discredit, that is, refuse to accept, the combined conclusions of the defence witnesses.

Given the strength of the defence evidence, could the jury lawfully reject it? Most certainly. As judges always tell juries — as this judge told this jury — evidence is evidence if the jurors believe it; what they choose not to believe is not evidence.

Although application of this principle would mean that the jury returned, as not worthy of belief, professional opinions emanating from a corps of highly-qualified, authoritative experts, such dismissal is unquestionably within the jury's province.

Now for purposes of deciding Defendant's motion for a required finding of not guilty, the law requires our assuming that the jury did indeed discard every scrap of evidence (testimonial or visual, direct or circumstantial) tending to cast doubt on the prosecution's

theory. Measuring the evidence by this strict standard, my duty inexorably mandates my denying the motion in its entirety.

Whatever my own views of the evidence might or might not be, I cannot, in deciding this motion, place any of them upon the scales.

3. Motion for a new trial

A judge may not grant a new trial merely because had he been the fact-finder, the case would have come out differently. In stating this truism, of course I do not suggest any disagreement with the verdict as delivered. In any event, the offence charged did not allow a test of the hypothesis, since the defendant in an indictment for first-degree murder cannot elect a jury-less trial.

The verdict, it seems to me, was not against the weight of the evidence. In reaching this conclusion, I have considered each of Defendant's specific contentions:

a. The Government certainly should have discovered the so-called "skull-fracture photographs" earlier and given them to the defence well before the start of trial. The late disclosure, although inexcusable, did not prevent effective presentation of the evidence and its significance; that is the legal test. In this connection, it is worth noting that because the court denied the Commonwealth's proffer of rebuttal evidence, the recalled defence witness, Dr Michael Baden, offered the last word on the photographs and the conclusions to be drawn from them. Moreover, the defence was afforded ample opportunity to exploit the entire matter in closing argument.

b. Whether a recent fracture would have demonstrated soft tissue swelling was a matter on which the experts disagreed; that does not equate with the right to a new trial. c. The "serum" evidence does not mandate a new trial. Absence of a contemporaneous transcript of Dr Jan Leestma's testimony — a normal occurrence in the Massachusetts Superior Court, and not to be held against the faithful, dedicated court reporter — necessitated either not responding to the jury's requests, or interrupting deliberations of a sequestered jury for the time necessary to transcribe the testimony (which had lasted for parts of two days).

The alternative, preparing a transcript of only selected portions, was not possible here, where counsel could not agree on the selections. Even if they had agreed, the delay would have held the jury idle an unacceptably long time.

Thus in accordance with the normal practice in Superior Court trials, the transcript was not read. Unless one or both of the parties make arrangements for daily transcripts, none is available. Here, defence had caused the transcription of Dr Joseph Madsen's testimony, but not Dr Leestma's. When the jury asked for the former, no reason existed why it should not be read; Defendant, in fact, agreed that the jury should receive it. The lack of a Leestma transcript was, from the defence standpoint, unfortunate.

However, here again, nothing prevented counsel, in final argument, from putting to the jurors his own recollection and urging them to draw the appropriate conclusion.

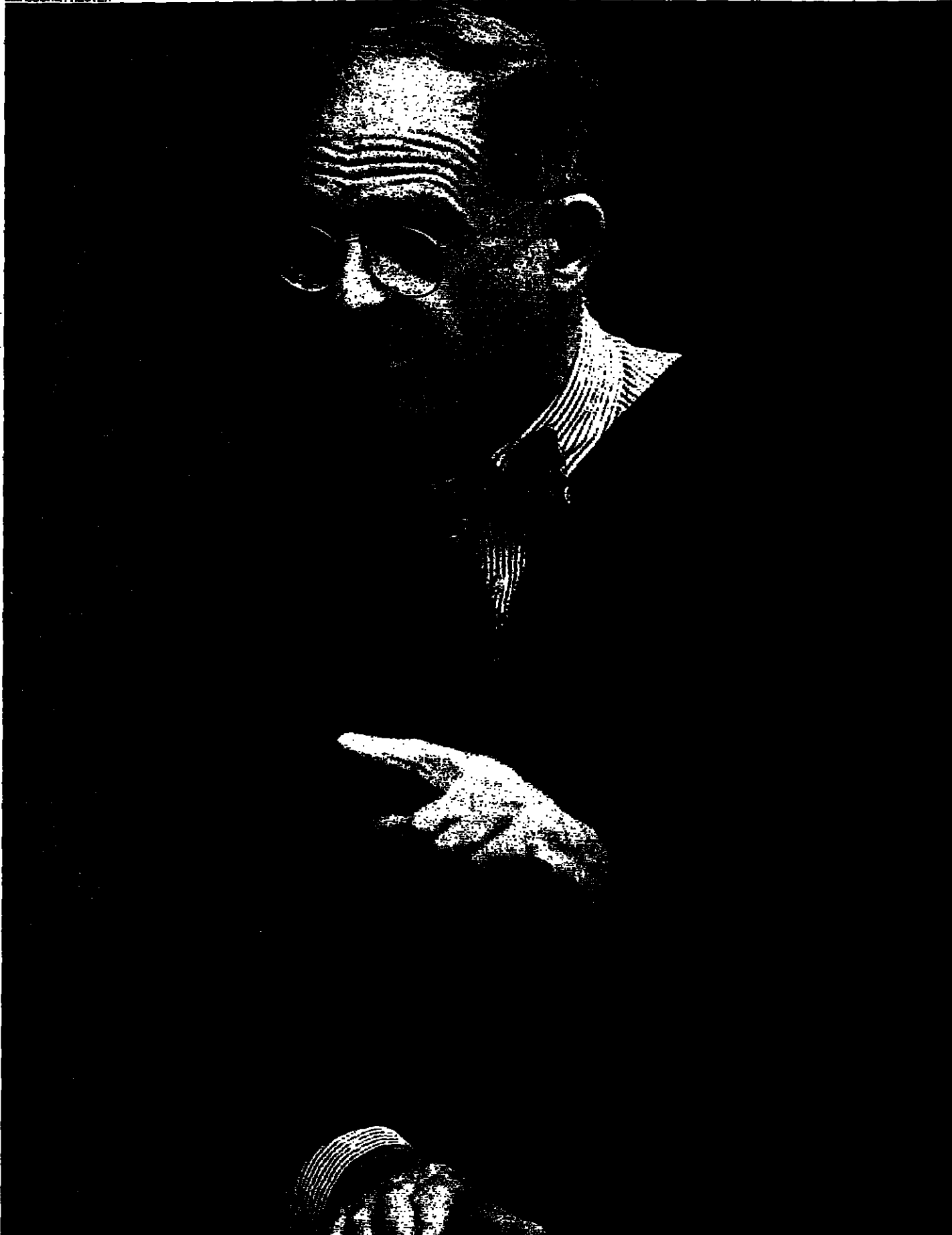
d. Dr Leestma's neuropathology findings came before the jury in full, illustrated detail. Absence of the dura was disputed at trial; the jury was entitled to believe that nothing substantial was gone. In this, the court's previous contrary findings, made in a different proceeding and context, do not control. e. Dr Alisa Ocan's testimony may have tended to prove the age of the haematomas; it did not, as Defendant argues, prove the point.

f. Similarly, the ophthalmological evidence as to the state of the retina is at best (from the defence standpoint) inconclusive. g. Contrary to Defendant's contentions, the court plainly told the jury to confine its inquiry to the events of February 4 and told the jury that the Commonwealth was obliged to prove that Defendant acted intentionally (albeit that she lacked intent to kill).

It is settled law that under the definition of "malice" which the Commonwealth pursued here, a person can be guilty of second-degree murder even absent an intent to kill or even an intent to harm, so long as the Commonwealth proves: (a) an intentional act (b) which in circumstances known to the defendant (c) created what a reasonably prudent person would have known was (according to common experience) a plain and strong likelihood that death would result.

h. Defendant incorrectly states that criminal liability for homicide depends on proof that brain death preceded withdrawal of life support. The test in this Commonwealth is not the order of the events, but whether or not Defen-

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Judge Zobel: "The decision is guided by my reason, my conscience and the established precedents and principles of justice."

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dan's act was the direct cause of Matthew Eappen's death. On that, the Court's instructions to the jury were explicit.

i. The test for malice (in the circumstances here) is whether, under the circumstances known to Defendant, a reasonable person would have known that her intentional act created a substantial risk of death to Matthew Eappen.

This test has long been the rule in Massachusetts. As Chief Justice Oliver Wendell Holmes noted a little more than a century ago, "it is possible to commit murder without any actual intent to kill or to do grievous bodily harm". The only intent the Government need prove is the intent to perform the act, not any particular intent as to the act's consequences.

j. The effect of pre-trial publicity on the jurors was the subject of a searching, prophylactic empanelment procedure, complete with special questionnaires and individual interrogation of prospective jurors. All the jurors seated satisfied the court and counsel that neither the publicity nor any other cause had affected their individual ability to decide the case entirely on the evidence. The publicity gives no cause for a new trial.

k. The evidence in this case sufficed, however thinly, to support an indictment alleging extreme cruelty and atrocity. Whether obtaining the indictment in that form was wise or compassionate is not for the court to say at this time. Unlike Commonwealth v. Gagliardi, where the prosecutor, during the trial, conceded a lack of evidence to support a conviction for first-degree murder, the prosecu-

tion consistently urged first-degree murder, and the medical evidence here permitted that stance.

l. The government's closing argument was tough, but eminently fair. Indeed, throughout the trial the prosecution team — like the defence — acted in accordance with the highest professional standards.

A judge may grant a new trial "for any... reason that justice may require", which blends with rule 25(b)(2), see Reporter's Notes. Under all the circumstances, I do not think that justice requires a new trial.

4. Motion to Reduce Verdict Even though the court declines to allow a new trial, a very serious issue remains as to the justice of the second-degree murder verdict the trial produced. The inquiry here is quite different from what has gone before.

In seeking a directed acquittal or a new trial, Defendant argued that the evidence as to causation so strongly raised a reasonable doubt as to liability for Matthew Eappen's death that the conviction could not stand. Now Defendant urges a reduced assessment of her culpability, relying upon Massachusetts Rule of Criminal Procedure 25(b)(2): "If a verdict of guilty is returned, the judge may on motion... order the entry of a finding of guilty of any offence included in the offence charged in the indictment."

The test here is no longer narrowly legal. The judge, formerly only an umpire enforcing the rules, now must determine whether, under the special circumstances of this case, justice requires lower-

ing the level of guilt from murder to manslaughter (or even to battery). The facts, as well as the law, are open to consideration.

In deciding this issue, the judge must, above all, use the power sparingly, and with restraint, taking care not to act arbitrarily or unreasonably. The judge does not sit as a second jury or even as a "thirteenth juror": he should not second-guess the jury. Nonetheless, he is entitled to consider testimony that the jury may have disbelieved, including such of Defendant's own testimony as he finds credible.

Because Rule 25(b)(2) is a kind of safety valve, a means of rectifying disproportionate verdicts, the test is not whether the evidence could support a verdict of second-degree murder, but whether a lesser verdict more comports with justice.

After considering the law and the evidence of the whole case "broadly", to determine whether "there was any miscarriage of justice", the judge's duty requires weighing "the fundamental fairness of the result": deciding whether a reduced verdict would be more consonant with justice, and determining whether justice "will be more nearly achieved" by a reduction, rather than by allowing the jury's verdict to stand. In short, the court may reduce the level of the conviction, for any reason that justice may require. This in turn means that the judge must decide whether, failing to reduce the verdict raises a substantial risk that justice has miscarried.

The scope of review may be even broader than requiring Defendant to show "grave prejudice" or "sub-

stantial likelihood" that a miscarriage of justice has occurred. Rule 25(b)(2) applies ameliorative justice on a case-by-case basis. Its use — designedly rare — thus does not erode established criminal-law principles.

The court may not, however, take into account the feelings of those the death has affected: the judge must focus entirely on the events of the trial. Thus although as a father and grandfather I particularly recognize and acknowledge the indescribable pain Matthew Eappen's death has caused his parents and grandparents, as a judge I am duty-bound to ignore it. I must look only at the evidence and the Defendant.

Having "considered" the matter carefully, I am firmly convinced that the interests of justice — as Rule 25(b)(2) and the cases construing it have defined them — mandate my reducing the verdict to manslaughter. I do this in accordance with my discretion and my duty.

Viewing the evidence broadly, as I am permitted to do, I believe that the circumstances in which Defendant acted were characterized by confusion, inexperience, frustration, immaturity and some anger, but not malice (in the legal sense) supporting a conviction for second-degree murder. Frustrated by her inability to quiet the crying child, she was "a little rough with him", under circumstances where another, perhaps wiser, person would have sought to restrain the physical impulse. The roughness was sufficient to start (or re-start) a bleeding that escalated fatally.

This sad scenario is, in my

judgment after having heard all the evidence and considered the interests of justice, most fairly characterized as manslaughter, not mandatory-life-sentence murder. I view the evidence as disclosing confusion, fright and bad judgment, rather than rage or malice.

One further point requires attention. Defence counsel vigorously urged, and the Government with equal vigor opposed, my denying the jury an opportunity to consider the verdict of manslaughter, a decision which I based on Commonwealth v. Pagan (1990).

Today the positions are reversed. The defence seeks a reduction to manslaughter; the Government decries allowing Defendant a second opportunity. Had the manslaughter option been available to the jurors, they might well have selected it, not out of compromise, but because that particular verdict accorded with at least one rational view of the evidence, namely:

(1) Matthew did indeed have a pre-existing, resolving (ie, healing) blood clot;
(2) Defendant did handle him "roughly";
(3) the handling (although perhaps not the roughness) was intentional;
(4) the force was, under the circumstances, excessive, and therefore unjustified;
(5) the handling did cause re-bleeding; and
(6) the re-bleeding caused death.

If the jury determined that those were the facts, the combination would amount to an unjustified, intentional, unconsented-to touching (ie, a battery) which resulted in death.

Manslaughter is simply a fatal battery. Defendant's lack of intent to cause death or even injury would have been, legally speaking, irrelevant, as would Defendant's lack of knowledge about Matthew's pre-existing condition.

The principle is simple: If you apply force to another person's body, you take the risk that (unknown to you) your blow, which an ordinary person could physically tolerate, may kill the individual you strike. The victim's hidden physical weakness does not exonerate the perpetrator.

No one, of course, doubts that had the court denied Defendant's request, and had the jury convicted of manslaughter, defence counsel would be arguing that the jurors had unfairly compromised. It seems, then, at first glance unfair that Defendant should be able to escape the consequences of a decision by her experienced lawyers which she personally and publicly approved.

In fact, it is not unfair. I do not criticize counsel's advice and Defendant's adopting it. Given the state of the evidence, it was a rational, appropriate position. Had it succeeded, the defence would be hailed for courage and foresight.

Should Defendant now be permitted to second-guess herself and her lawyers? If one regards the trial of a criminal case as a high-stakes game of chance where losers must accept their losses, the answer is, certainly not.

Massachusetts, however, never has and does not now view justice as a handmaiden to Tyche, the goddess of good fortune.

Of course, chance plays a part in litigation, as it does in every aspect of life. A court, nonetheless, is not a casino. The only institutionalised lottery in a courtroom is the random selection of the jury venire at the beginning of trial and the random choice of alternate jurors at the end.

Rule 25(b)(2) requires a judge to view the entire case with a clear and steady eye. The search is not for justice, but rather for that rare collection of circumstances, the grave failure of justice: if leaving the verdict untouched would preserve a miscarriage of justice, Rule 25(b)(2) makes the judge's duty clear. He must determine the existence of the miscarriage, not its cause.

After intensive, cool, calm reflection, I am morally certain that allowing this defendant on this evidence to remain convicted of second-degree murder would be a miscarriage of justice.

One final word. All of us — the prosecution, the defence, the court, and the public — owe deep gratitude to the jury here, deliberating jurors and alternates alike, who gave of their time and effort and, in the aftermath, their privacy. Neither they nor anyone else should interpret today's decision as in any way a criticism of them. The decision rests, as it should, entirely on my determination, guided by my reason, my conscience, and the established precedents and principles, that the interests of justice are best served here by my exercising my informed discretion and lowering the degree of guilt attributable to Defendant.

Order

It is ordered that the sentence imposed herein, October 31, 1997, be, and the same hereby is, vacated; and it is further ordered that the verdict of "guilty, murder in the second degree", returned October 30, 1997, be, and the same hereby is, reduced to "guilty, involuntary manslaughter", and it is further ordered that Defendant be brought before this court Monday, November 10, 1997, then and there to receive her sentence on the verdict as reduced.

Hiller B. Zobel
Associate Justice
Superior Court
November 10, 1997

Mystery of the drug that beats dieting

By IAN MURRAY
MEDICAL CORRESPONDENT

A DRUG that reduces high cholesterol levels is better than only dieting but scientists do not understand why. The answer may be nothing to do with lowered cholesterol.

Researchers at Glasgow University have found that patients who took the drug Lipostat had 36 per cent fewer heart attacks than those on a controlled diet. Yet the drug reduced cholesterol by only 26 per cent, so the study concludes that it must have healthy side-effects.

The conclusions announced at the American Heart Association conference in Orlando, Florida, challenge the wisdom of advising people to control cholesterol by diet alone.

Chris Packard of the pathological biochemistry department at Glasgow, who led the research, said that the drug might work by reducing the sickness of blood that caused clotting and blocked arteries, or it might strengthen the plaque on the cholesterol that forms inside arteries.

When the plaque ruptures, a large clot forms which blocks the artery and causes a stroke. By toughening the plaque, the drug reduces the risk of heart attacks.

Heart disease costs the NHS £1.6 billion a year, compared with £12 million spent on drugs to reduce cholesterol. The findings suggest that giving the drug to all patients with high levels would be healthier and cheaper.

In Britain 25 per cent of men and 32 per cent of women are considered to be well above safe limits of cholesterol.

Industry attacked over misleading labels on food

By ROBIN YOUNG

SHOPPERS are being duped by the food industry, according to reports published by a leading retailer and the Consumers' Association yesterday. Research commissioned by the Co-op showed that nine out of ten consumers believed that the law prevented misleading claims but many were hoodwinked by food labels.

The Consumers' Association said food labels were so misleading, inaccurate and incomplete that it was virtually impossible to compare products and make an informed choice. The Co-op said it had drawn up an industry code of practice to purge food labels of misleading names, illustrations and claims.

Sheila McKechnie, director of the association, at a press conference in London yesterday, welcomed that as a first step but called on the food industry to adopt a single code and to end anomalies in nutritional, health and ingredient claims on food labels.

She said: "I am willing to support the Co-op code as a first piece of paper on the table but I am not prepared to spend the next three years in bureaucratic debate about what are scandalous dishonesties. The message to the food industry is: get on with it."

The association cited as a case of poor labelling the fact that Ovaltine Light low fat chocolate malted drink contained 6.6g of fat, while regular Ovaltine contained only 2g, that the Halo Caramel Heaven bar claimed to be 85 per cent fat free when the 15 per cent fat it contained was "a significant amount", that Ross cod fishcakes also contain Alaskan pollock, blue whiting, haddock and hake in the small print of the ingredients list; and that Freshbake traditional pasties are not fresh baked because they are frozen and not traditional because they contain monosodium glutamate and hydrolysed vegetable protein.

Food companies said their labelling complied fully with regulations. The Co-op's research showed that nine-tenths of customers were duped by a product called mince and onions, in which the main ingredient was mechanically recovered chicken. Almost three quarters believed haddock fillets would mean single fish fillets. In fact, the product consisted of cuts from compressed blocks of fish.

Four-fifths of the customers surveyed were misled by photographs on the pack into thinking that a steak pie contained much more meat than it did, while two-thirds were taken in by claims such as "90 per cent fat free", when in fact 10 per cent was well above government guidelines for a "low fat" claim.

A Co-op report, *The Lie of the Label*, says that, as regards fish, there is no standard definition for the terms "fillet" or "steak". It says that in France companies are obliged to tell customers the proportions of key ingredients. Some companies selling products in the United Kingdom and France have two ingredient lists, one in French disclosing the percentages, while another, in English, withholds them.

The word "traditional" is widely abused, the report suggests, and names created to promote the product can dominate the packaging while the legal name, which actually tells customers what they are getting, may be in small print and sometimes on the back.

Pack designs, photographs and words can give a misleading impression of the product by using small plates or retouching photographs. The report warns against "weasel words" such as "traditional", "natural", "premium" and "wholesome" which, it says, sound good but mean little.

The Co-op had seven group discussions and 1,144 interviews (NOP).

Bananas appeal against fat of land

By MICHAEL HORNSBY, AGRICULTURE CORRESPONDENT

BRITONS are eating more fruit and vegetables, but are still consuming more fat than is good for them, according to the latest official figures.

The 1996 National Food Survey also shows that bananas are Britain's most popular fresh fruit for the second year running. Britons eat about two bananas a week compared with one apple.

"It is good news that people are eating more fruit and vegetables and less fat, but there is still a long way to go," Jeff Rooker, the Food Safety Minister at the Ministry of

Agriculture, said yesterday. The percentage of food energy derived from fat fell slightly to 39.7 per cent, still well above the 35 per cent maximum recommended by the Department of Health.

Fruit consumption rose by 3 per cent and vegetables (other than potatoes) by 4 per cent, according to the survey, which was based on food purchases by 8,000 households.

Expenditure on food and drink consumed at home averaged £16.46 per person per week last year, an increase of 5 per cent on 1995.



Fiona Harnwell wants compensation for her son Philip's "unplanned birth"

Boots sued over wrong Pill

A MOTHER is suing her local chemist for £10,380 compensation, claiming she conceived her second child after being given the wrong contraceptive pill.

Fiona Harnwell claims her son Philip, born 2½ years ago, was a surprise. She and her partner, Roger Burton, a builder, had planned to wait until their

daughter, Sarah, was settled in at school near their home in Ross-on-Wye, Hereford and Worcester, before having another child.

When she became pregnant she took her packet of pills to her GP. "It was the right packet but the wrong type of Pill inside it. I was shocked at first but we have a beautiful little boy and of

course I love him dearly. However, his arrival did upset our plans."

A spokeswoman for the chemist Boots said: "We have accepted that a dispensing error was made and the wrong contraceptive was supplied to her."

"But we have advised her solicitors that we dispute that this caused her pregnancy."

Childcare bills drive mothers to give up their jobs

By MARK HENDERSON

BUSINESSES are losing staff and money because British childcare is the dearest in Europe, a report says today.

More than a third of women who gave up a job after a baby said they did so to avoid crippling childcare bills, says the Daycare Trust. The typical cost to employers of an employee leaving was £10,000.

Families often had to spend more on childcare than food and housing, the report says. A family with a pre-school child and another needing care after school and during holidays spent nearly £6,000 a year on childcare, compared with £4,000 to house and feed the entire family.

A single parent with a two-year-old spent 28 per cent of earnings on daycare in Britain, 12 per cent in The Netherlands, 7 per cent in Sweden and nothing in France. Employers, local authorities and central government paid less than 10 per cent of Britain's childcare bill between them and there was one registered place for every nine children under eight years. Elsewhere in Europe, the state and employers were much more generous. The Government is expected to announce a national childcare strategy early next year.

Colene Kelleher, director of the trust, said: "Every time a highly-trained member of staff quits to look after kids, a company loses out." J. Sainsbury budgets £5,000 to replace a section manager and £10,000 to replace a store manager, the report says.

Ms Kelleher said that tax should not be charged on nursery vouchers given by small businesses. "They can't be expected to run a nursery for two children, but could easily buy places at a joint one."

SSSHH.

A sophisticated diesel should be serene and not heard.

Mary Shelley's lost work may be published at last

A LEADING British publisher was yesterday hoping to negotiate the rights to a long-lost children's story by Mary Shelley that was recently discovered in Italy.

Pickering & Chatto wants to publish the 1820 tale, written two years after she published *Frankenstein*, within a reprint of its eight-volume *The Novels and Selected Works of Mary Shelley*, which came out last year. The firm, which publishes fine editions of key figures in the Romantic period, has contacted the Italian couple in Tuscany in whose private collection the manuscript was discovered after having lain there unnoticed for more than 150 years.

Its appearance in the archives of Cristina and Andrea Dazzi in the bicentennial year of the author's birth is fortuitous timing.

The story, entitled *Maurice, or The Fisher's Cot* and set on the Devon coast, features 39 pages in Mary Shelley's hand. It is a morality tale about a boy

A British firm is aiming to take up the rights for her "very pretty tale", writes Dalya Alberge

who is stolen from his parents, runs away from his cruel step-father, is adopted by an old fisherman and lives in a cottage on the coast. Lord Rees-Mogg, *The Times* columnist who is chairman of Pickering & Chatto, said yesterday: "I hope we shall be able in some form or another to see that it is published."

The Dazis are descended from Lady Mountcashell, a close friend of Mary and her husband, the poet Percy Bysshe Shelley, during their exile in Italy in the early 19th

century. Mary wrote it for Lady Mountcashell's 11-year-old daughter, Laura, known as Lauretta or Laurette.

Betty T. Bennett, consulting editor to the Pickering & Chatto edition, is in touch with Signora Dazzi and has advised the publishers to acquire the rights. There is no doubt of its authenticity. Scholars knew of the story's existence, both from references in Mary Shelley's journal and through a letter written by her father. In 1821 he wrote: "Your tale I think very pretty ... But it would not make more than a shilling book."

Professor Bennett, a distinguished professor of literature at the American University in Washington DC who has made Mary Shelley her life's work, said there was more Mary Shelley material on scholars' missing-lists including part of her journal and her early short story *Hate*. "Letters are showing up all the time," she said. "I just published in the Keats-Shelley



Cristina Dazzi with the manuscript. She and her family have been stunned by the discovery and interest in it

journal a long article with 24 new letters. They surface all the time."

The manuscript has been authenticated by Claire Tomalin, author of *Shelley and His World*. She said: "It's very thrilling, I must say. It is clearly touched by things one recognises as by Shelley. She had divided it into three parts. Although it was written for a child, it is written in a formal

way, like a tiny three-volume novel. Something that is characteristic of stories like *Frankenstein* is that it is told by several narrators. I was particularly struck by the melancholy of it."

Nora Crook, reader in English at Anglia Polytechnic University in Cambridge and editor of the eight-volume Pickering & Chatto edition, said yesterday: "It would be

wonderful if this could be put in the public domain as soon as possible in a scholarly way. This is a very exciting development. It's a work which might tell us a lot about Mary Shelley's development."

Roderick Cavallero, honorary treasurer of the Keats-Shelley Memorial Association, said he would like to get the maximum amount of publicity for the story. "But we

can't do anything without the consent of the Dazzi family. They've been stunned by the interest," he said. Much of their extensive archive was sold to America some years ago. "They didn't know of the existence of this cache of papers. They are worried as to what to do next. She's a bit shell-shocked at the moment, both by the discovery and the publicity."

NEWS IN BRIEF

BA makes all flights smoke-free

British Airways is to ban smoking on all flights from March 29 after overwhelming support from customers. BA has more than 7,000 flights each week, 95 per cent of which are non-smoking. The last routes to go non-smoking include Spain, Latin America, China, the Philippines and Bulgaria.

Suicide blame

The Court of Appeal ruled that the Metropolitan Police failed in its duty of care by letting a suicide risk hang himself in a police cell. The force will challenge the ruling in the Lords.

Ford fined

Ford was fined £10,000 at Cardiff Crown Court yesterday after a toxic liquid from its Bridgend engine plant seeped into the River Ewenny, an area of special scientific interest, killing thousands of fish.

Ships scrapped

Three British Navy warships—HMS Kent, HMS Hermione and HMS Jupiter—have been sold for scrap in India for £600,000 after a four-year attempt to sell them to foreign navies failed.

Appeal to blind

Court clerks have put advertisements in the Royal National Institute for the Blind's magazine after the Lord Chancellor's announcement that he wants to appoint blind or partially sighted magistrates.

Bedside light

Sunlight shining through a pair of spectacles on a bedside table starts a fire on a duvet, which then gutted the main bedroom of a couple's detached house in Beeston, Nottinghamshire.

McEwan goes into final round for Whitbread award



McEwan: did not make shortlist for Booker

BY DALYA ALBERGE

WEEKS after Ian McEwan was snubbed by the Booker Prize judges, he has been shortlisted for the rival Whitbread award. The literary world was taken aback that his novel *Enduring Love* failed to make the final Booker list, and regards his new chance as natural justice.

However, publishers questioned whether judges for the Whitbread novel award—who include the writer Fay Weldon—had given him a backhanded compliment in their description of his work as "a great and powerful book with a gripping beginning".

One observer said: "What about the rest of it?" The novel tells of a young drifter who

becomes obsessed with a science journalist and starts stalking him after a chance meeting at the scene of a ballooning accident. Com-

menting on the judges' wording, another observer said: "I think this novel does have shortcomings that should disqualify it from winning. It's

overladen with scientific theory and touches of earnestness. The opening chapter is marvellous. He's often good at beginnings. It contains within

it the germ of a valid criticism."

McEwan faces competition from two other Booker contenders, Jim Crace's rework-

ing of the Lerner Gospel story, *Quarantine*, and Bernard MacLaverty's story of a struggling musician, *Grace Notes*, as well as Geoff Nicholson's *Bleeding London*, and *The Unthinkable*. John Banville's novel of betrayal and adultery which was also seen as a serious Booker omission.

The author of the winning novel receives £2,000. The shortlists for the other categories were also announced yesterday. The winners will be announced on January 6, and the winner of the overall £21,000 prize announced on January 27. The total prize fund stands at £39,000, making it the largest literary prize in Britain. The overall winner receives £21,000.

FIRST NOVEL AWARD

Anne Haverly	One Day as a Tiger
Mick Jackson	The Underground Man
Pauline Melville	The Ventriloquist's Tale
Ardashir Vakil	Beach Boy
Phil Whitaker	Eclipse of the Sun

POETRY AWARD

Simon Armitage	CloudCuckooland
Ruth Fainlight	Sugar-Paper Blue
Selima Hill	Violet
Ted Hughes	Tales from Ovid
Peter Redgrove	Assembling a Ghost

BIOGRAPHY AWARD

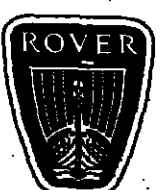
Jessica Douglas-Horne	Violet: The Life and Loves of Violet Gordon Woodhouse
Graham Robb	Victor Hugo
Kate Summerscale	Queen of Whale Cay
Stella Tillyard	Citizen Lord
Jeany Uglow	Hogarth: A Life and a World

CHILDREN'S AWARD

Melvyn Burgess	Junk
Sharon Creech	Chasing Redbird
Andrew Norris	Aquila
Alan Temperley	Harry and the Wrinklies

£10,995.

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RELAX.

NEWS IN BRIEF

BA makes all flights smoke-free

British Airways is to be smoking on all flights from March 20 after a unanimous support from customers. BA has announced that 95 per cent of its routes to go non-smoking. The routes include Spain, Latin America, China, the Philippines and Bulgaria.

Suicide blame

The Court of Appeal ruled that the Metropolitan Police failed in its duty of care by letting a suicide risk hang himself in a police cell. The court said the force had failed to challenge the ruling in the Lords.

Ford fined

Ford was fined £10,000 after a town council ordered it to remove a statue from its grounds. The council said the statue was a disgrace to the town and a source of embarrassment.

Ships scrapped

Three British Navy ships, HMS Kent, HMS Hermione and HMS Plover, have been sold for scrap. The ships were built in 1960 and 1961 and were used for training.

Appeal to blind

Court clerks have put a notice in the London National Institute for the Blind magazine asking for help. The notice said that the institute was short of money and needed help to continue its work.

Bedside light

Sunlight shining on a bedside table in a hotel room has caused a fire. The fire started when the sunlight hit a lamp on the table and caused it to catch fire. The hotel said it was sorry about the incident.

Congress vote ruins Clinton trade dreams

PRESIDENT CLINTON yesterday suffered a devastating setback to his foreign and economic policy when he failed to win authority from Congress to strike international trade deals.

After frantic lobbying in the early hours, the White House reluctantly postponed the Bill to renew the President's trade-negotiating authority, which had already been rescheduled three times over an increasingly tense weekend.

Mr Clinton said: "I'm disappointed. We were very close, but early this morning it became clear to me that we would not get the votes to pass the Bill." He said he was still optimistic that Congress would back him early next year, but Democrats gave a warning that the crucial congressional elections in 1998 would only heighten controversy over the Bill.

The defeat is an unexpected blow for President Clinton, who sees the promotion of free trade as one of his greatest successes. The creation of the World Trade Organisation (WTO), and the North American Free Trade Agreement (Nafta) with Canada and Mexico, are among his main qualifications for a place in the history books.

But the stance of Congress leaves him now as the first President since Gerald Ford not to have "fast-track" authority. That power, which lapsed during Mr Clinton's first term, would allow him to negotiate trade pacts and put them to Congress for a "yes or no" vote without amendment. His plan to extend Nafta to Chile and other Latin American countries, and to press for more access to Japanese and Chinese markets, has been stalled.

The inability of the world's largest economic power to negotiate trade deals may also jeopardise the recently created

Bronwen Maddox on the President's humiliation by his own party

WTO, which has been hailed as one of the most important steps in lowering international trade barriers.

President Clinton's failure may scupper the organisation's efforts to open up trade in agriculture, and to put pressure on the European Union to dismantle the common agricultural policy.

Mr Clinton's defeat, which was compared in Washington to the collapse of his attempted healthcare reforms in 1993, was due mainly to opposition from within his own party, and shows the costs of his bid to drag the Democrats towards the political centre-ground. In 72 hours of round-the-clock lobbying, the White House tempted key congress-

men with special deals for Georgia peanuts, Florida oranges and Californian wine, but was unable to capture the dozen or so extra votes needed to win.

Many Democrats believe that the support of the unions, who bitterly oppose most trade pacts, will be more important than that of Mr Clinton in next year's elections. The 750,000-strong United Steelworkers of America yesterday thanked representatives "who stood by America's working families and forced a vote postponement".

Unions blame Nafta and other trade pacts for causing the loss of American jobs to neighbouring countries, and for driving down wages. Mr Clinton, who won vigorous support from many Republicans, yesterday gave a "profound word of thanks" to Newt Gingrich, the Speaker of the House, for his support. He could have had the backing of enough Republicans to carry the vote if he had agreed to cut US funding for international family planning efforts. But he said yesterday that "I believe it would have been wrong to compromise what I believe and to link the two issues".

The White House plans to present the Bill again after the Christmas break. But support may be even more elusive, as congressional Democrats will be anxious to drum up money and support ahead of the November elections, and will be wary of running foul of the unions.

Flight alert: Hillary Clinton was departing yesterday to take off again for a tour of Central Asia, nearly a day after her plane developed engine problems and returned to Andrews Air Force Base. The 25-year-old Boeing 707 jettisoned its fuel and returned to the base minutes after taking off when a sensor falsely indicated an engine fire. (APF)



Clinton: devastating setback to policy



Spider, a bronze 11ft high and 16ft across by French artist Louise Bourgeois, is one of 30 international sculptures on display in Cologne

Paul Simon musical hits troubled water

FROM TUNKU VARADARAJAN IN NEW YORK

ANTI-CRIME protesters across America have called for a boycott of *The Capeman*, the first musical written for Broadway by Paul Simon.

The show is based on the true story of Salvador Agron, a Puerto Rican who stabbed two white teenagers to death in 1959. In jail, the murderer underwent a striking transformation, devoting his time to reading literature and writing poetry.

Agron, who was 18 when he killed the teenagers, was dubbed "The Capeman" by the New York press, after the black cape he wore during his gangland battles. That year, *West Side Story* had just played on Broadway — a tale of strife between young whites and Puerto Ricans — and the murders made many New Yorkers believe that the "Latino menace" was on their doorsteps. Agron received a

death sentence, which was commuted by Nelson Rockefeller, the state Governor.

Victims' rights groups claim that Mr Simon's musical glorifies a convicted murderer and will cause the families of those killed by Agron to relive the most painful moments of their lives.

Christine Baumbardt, a member of Parents of Murdered Children, which has 100,000 members, said: "Does Simon think that murder is something to sing and dance about? The musical will not only be victimising those families all over again, it will victimise the families of everyone who has ever been murdered."

Leaders of the group have issued a nationwide call on members to converge on the Marquis Theatre in Broadway when the show opens for previews on December 1. There, they will picket theatre-goers, urging them to turn back.

The group says that the families of the victims support the boycott campaign.

Mr Simon has denied that the musical "glorifies" either murder or Agron. In an interview with the *New York Post*, he said: "The play is different from a documentary. The play has a moral question at its core. That question is about the possibility or impossibility of redemption. It looks at how atonement is achieved."

The musician has revealed, however, that he consulted members of Parents with Murdered Children while writing the musical. He said: "I was about to drop the play after doing an interview with a woman from that organisation. At that time, my oldest son [Harper] was 16, and it set me to thinking, what would I do if something happened to him? I understand the feelings of the families better."



Agron: studied literature while in jail for murders

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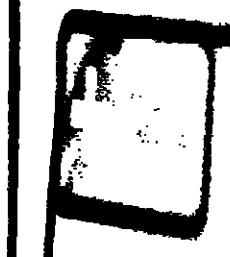
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American Samoa	47p	£1.35	65%	Fiji Islands	67p	£1.35	50%	New Caledonia	67p	£1.35	50%
Antarctica	34p	£1.35	75%	France	14p	28p	50%	Nicaragua	65p	£1.31	50%
Antilles (Dutch)	45p	£1.02	56%	French Guiana	61p	£1.35	55%	Norfolk Islands	67p	£1.35	50%
Antilles (French)	51p	£1.02	50%	French Polynesia	67p	£1.35	50%	Norway	14p	38p	63%
Argentina	65p	£1.31	50%	Germany	14p	28p	50%	Panama	65p	£1.31	50%
Aruba	43p	£1.02	58%	Ghana	65p	£1.31	50%	Papua New Guinea	47p	£1.35	65%
Ascension Island	67p	£1.35	50%	Greenland	58p	£1.35	57%	Poland	19p	39p	51%
Australia	24p	49p	51%	Guadeloupe	51p	£1.02	50%	Romania	39p	79p	51%
Bahamas	29p	78p	62%	Guam	27p	£1.35	80%	Rwanda	67p	£1.35	50%
Bangladesh	66p	£1.33	50%	Guatemala	59p	£1.31	55%	Russia	39p	79p	51%
Belgium	14p	28p	50%	Honduras	65p	£1.31	50%	Saint Pierre	37p	73p	53%
Bermuda	32p	78p	59%	Hungary	19p	39p	51%	Saipan	60p	£1.36	56%
Bolivia	67p	£1.35	50%	India	60p	£1.20	50%	Serbia	40p	80p	50%
Botswana	65p	£1.31	50%	Japan	24p	77p	68%	Solomon Islands	67p	£1.35	50%
Brazil	65p	£1.31	50%	Jordan	63p	£1.26	50%	South Africa	39p	79p	51%
Brunei	54p	£1.08	50%	Korea (South)	54p	£1.08	50%	Sudan	50p	£1.31	62%
Burkina Faso	66p	£1.35	51%	Liberia	58p	£1.32	56%	Swaziland	40p	£1.31	69%
Cape Verde Islands	67p	£1.35	50%	Macao	53p	£1.08	51%	Sweden	14p	28p	50%
China	54p	£1.08	50%	Malawi	60p	£1.31	54%	Taiwan	46p	£1.08	57%
Colombia	67p	£1.35	50%	Malaysia	37p	77p	82%	Tanzania	65p	£1.31	50%
Comoros	65p	£1.31	50%	Maldives	67p	£1.35	50%	Turkey	33p	67p	51%
Cyprus	33p	67p	51%	Marshall Islands	60p	£1.35	55%	Tuvalu	67p	£1.35	50%
Danmark	14p	28p	50%	Martinique	26p	£1.02	74%	Vanuatu	67p	£1.35	50%
Diego Garcia	67p	£1.35	50%	Mauritania	67p	£1.35	50%	Venezuela	60p	£1.31	54%
Dominican Rep.	39p	78p	50%	Mauritius	65p	£1.31	50%	Western Samoa	67p	£1.35	50%
Ecuador	65p	£1.35	51%	Mexico	54p	£1.08	50%	Zaire	60p	£1.35	56%
El Salvador	60p	£1.31	54%	Micronesia	67p	£1.35	50%	Zambia	65p	£1.31	50%
Estonia	39p	79p	51%	Netherlands	14p	28p	50%	Zimbabwe	62p	£1.31	53%



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Spy flights resume in defiance of Iraq

Tom Rhodes and James Bone report on moves to force Saddam to back down

THE United States resumed uninterrupted U2 reconnaissance flights over Iraq yesterday as Washington struggled to muster support at the United Nations for a tough response to Iraq's defiance.

The flights went off safely despite previous bellicose warnings from Iraq that it would fire on the first U2 to resume surveillance over Iraq.

The Pentagon saw the successful mission as a first sign that Saddam may not be prepared to escalate the stand-off into a full-scale conflict. But officials made it clear last night that America was still prepared for any military action, either unilateral or under the direction of the UN.

At the UN, Bill Richardson, the US Ambassador, said he was seeking a Security Council resolution with "teeth" to punish Iraq for barring Americans from working as UN weapons inspectors.

The US and Britain are expected to ask for Security Council backing for a resolution that not only imposes a travel ban on Iraqi officials and suspends the periodic review of Iraqi sanctions, but also declares Iraq in "material breach" of its obligations under the Gulf War ceasefire. Such a declaration can be used to justify military action under the original resolution authorising force against Iraq.

However, it has been met

A high-contrast, black and white photograph of a soldier in a helmet, looking down and giving a thumbs-up gesture. An American flag patch is visible on the soldier's uniform.

An F18 pilot ready to take off from the USS Nimitz and overfly Iraq on a sanctions-enforcing mission

with some resistance by other veto-bearing permanent members of the council such as Russia and France, and the phrase may be dropped in favour of other wording.

The five permanent members of the Security Council — Britain, China, France, Russia and the United States — were due to meet last night to discuss the elements of a resolution, and vote could come as early as today. British sources said the priority was to maintain the privy of the

Mr Richardson claimed there had been "very strong allied unity" against Iraq's

■ No-fly zone
 200 miles

support for possible military reprisals.

Tariq Aziz, Iraq's Deputy Prime Minister, stopped over in Paris on his way to seek concessions from council members and the UN Secretary-General in New York and met Hubert Védrine, the French Foreign Minister.

M Védrine "reiterated the unacceptable character of the measures taken by Iraq in violation of Security Council resolutions regarding American personnel," a spokesman said, stopping short of endorsing military action.

For its part, Russia yesterday urged Iraq to lift its restrictions on American inspectors, but said it opposed the use of force. "Russia intends to firmly seek the removal of curbs imposed by Baghdad on the activity of the UN special commission," the Foreign Ministry said. "At the same time Russia will resolutely reject attempts to use the tensions that have arisen to justify any forcible actions against Baghdad with the authority of the Security Council."

But Britain was unwavering in its commitment. In London last night Tony Blair confirmed Britain's readiness to back a new US strike. He said: "Saddam should not take as a sign of weakness the international community's desire to find a peaceful way forward if possible. He has made this fatal miscalculation before. For his sake, I hope he will not make it again."

Mr Azz arrived in New York yesterday to meet Kofi Annan, the UN Secretary-General, and members of the Security Council in a bid to wring concessions about the future form of UN weapons inspections and a timetable for the lifting of UN sanctions.



Baath Party members brandish weapons in front of a Saddam portrait in Baghdad as U2 spy plane flights were resumed. Iraq has threatened to shoot down the planes

Trail that led to the poisonous arsenal

BY NIGEL HAWKES
SCIENCE EDITOR

BIOLOGICAL agents make poor battlefield weapons, as their effects are too slow and they run too great a risk of killing friend as well as foe. But neither of these factors is a drawback to a leader such as President Saddam Hussein who also possesses rockets.

Saddam has consistently blocked UN weapons inspectors from access to his facilities, but in April a team found that Iraq's programme had been more extensive than previously realised. Among the agents produced are

afatoxin, anthrax, botulinus toxin and bubonic and pneumonic plague.

The UN inspection team also found that Iraq had bought spray dryers essential for drying out bacteria so they can be stored — and four specialised filling machines for packing the agents into containers. It also imported 39 tonnes of growth medium, a nutritious soup on which bacteria thrive.

Faced with this evidence, Iraq admitted that it had produced thousands of litres of three agents — anthrax, botulinus toxin and aflatoxin — and deployed them on rockets at four sites. What is not clear is whether Iraq is

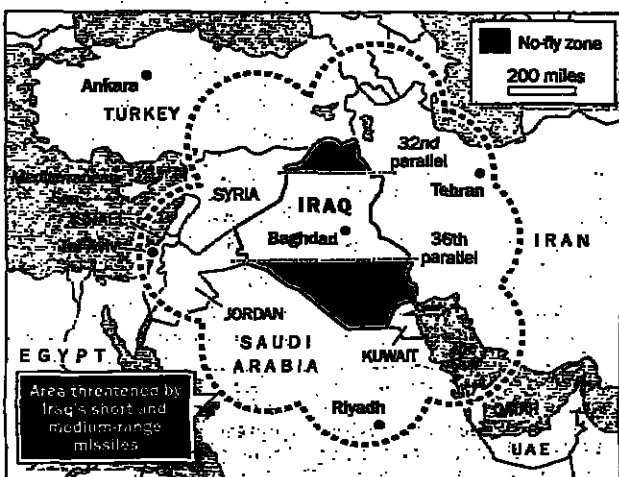
able to prepare the agents in the optimum form for distribution — particles between one and five micrometres across, the best size to ensure they are retained in the lungs.

Anthrax is a disease of cattle and sheep caused by a bacillus. As few as 8,000 spores are enough to kill if it is inhaled, and up to 90 per cent of those given a large dose will die. Antibiotics are effective, if used early enough.

crop sprayer, could deliver a fatal dose to up to three million people.

Botulinum toxin causes muscular paralysis and could kill 30 per cent of those exposed to it within three days. **Aflatoxin**, a fungal poison sometimes found on poorly stored peanuts, is a puzzle. Its best-known effect in humans is to cause liver cancer ten to 15 years after exposure; its choice as a germ war agent is hard to explain.

However, if any attempt were made by Iraq to prepare for a launch of these agents, it is likely that such activity would be picked up by satellite or the U2 spy planes.





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Zimbabwe veterans run riot in court

FROM JAN RAATH IN HARARE

ZIMBABWEAN former guerrillas ran riot in the Harare High Court yesterday, forcing a judicial inquiry to abandon hearings into a multimillion-dollar fraud of a fund meant for victims of the country's independence struggle.

About 300 war veterans danced, booed at the judge chairing the inquiry and delivered, from the now deserted bench, obscene denunciations against President Mugabe's Government. Riot police stationed in the court ordered the protesters to leave, but were ignored.

The demonstration appeared to be an attempt to force Judge Godfrey Chidyausiku to wind up the inquiry and prevent it from taking action against Hitler Hunzvi, who heads the War Veterans' Association. Evidence presented last week alleged that he had forged documents so that two of his relatives would receive large sums of money from the Government's War Victims' Compensation Fund.

Italians put folk hero on course for presidency

FROM RICHARD OWEN IN ROME

ITALY'S anti-corruption campaigner, Antonio Di Pietro, yesterday swept triumphantly into mainstream politics after winning a Senate by-election for the ruling centre-left coalition with an overwhelming majority.

There was immediate speculation that Signor Di Pietro, a former magistrate who inspired and led the 1992 "Clean Hands" campaign, might become Italy's first popularly elected President under proposed constitutional reforms.

Although Signor Di Pietro is a folk hero, his political views have long been enigmatic. He has often described himself as "a man of the Right", and is close to members of the "post-Fascist" Alleanza Nazionale. Yet last year he briefly joined the Government as Minister of Public Works, with the avowed aim of ensuring that



Di Pietro: victorious

public contracts were not corruptly awarded.

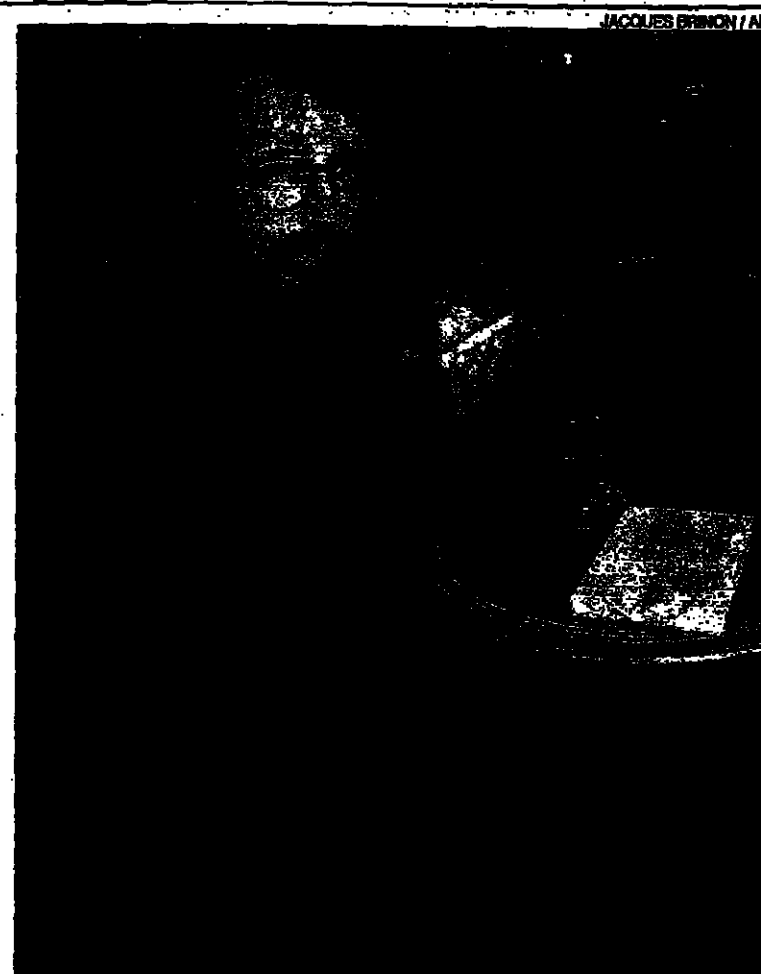
He said yesterday that he was "on the right wing of the Left", and that his aim was to help Romano Prodi, the Prime Minister, to create a broad-based Left which could rid itself of parliamentary dependence on the Communists.

Signor Di Pietro won 68 per cent of the vote in the by-

election for the Senate seat of Mugello, a rural area of central Tuscany. Giuliano Ferrara, the rumbustious candidate of the Centre Right, led by Silvio Berlusconi, the media tycoon — one of the most prominent targets of "Clean Hands" — received only 16 per cent.

Signor Ferrara, a former newspaper editor of Falstaffian girth and outspoken views, served in the short-lived Berlusconi Government of 1994. He admitted his tactic of mocking Signor Di Pietro's "peasant" origins had backfired, as had his assertions that the former magistrate was corrupt. *La Repubblica* said the result was "a triumph for Di Pietro and a resounding defeat for those who conducted a vendetta against him".

Signor Di Pietro, 47, rose from humble southern rural origins to head the unrelenting campaign by anti-corruption magistrates in Milan.



M. Rambaud at the Café de Flore in Paris yesterday. His book was inspired by Balzac's wish to write about the 1809 Battle of Essling.

Author scoops top prizes with 'Balzac' book

FROM BEN MACINTYRE IN PARIS

AFTER writing 25 books without winning a single major prize, the French author Patrick Rambaud made history yesterday by carrying off two of the most coveted awards in French literature for a novel that Honoré de Balzac always intended to write.

La Bataille (The Battle) was yesterday awarded the Prix Goncourt, the country's highest literary honour, less than a week after taking the Grand Prix for fiction from the Académie Française. The prizes have never before been won by the same book — a fictional account of the Napoleonic Battle of Essling.

The double award is also an oblique tribute to Balzac, the 19th-century author who often said he would write about the famously bloody encounter in 1809, but never did. "I am setting out to lay bare all the horrors, all the beauties, of the battlefield," Balzac once wrote in a letter. "He never wrote a line, only a few notes," M. Rambaud said yesterday. "The Battle of Essling" named after an Austrian village outside Vienna, was the first military engagement Napoleon did not win — and the moment his empire began to crumble. When it was fought, Balzac was ten.

M. Rambaud said yesterday: "It was neither a victory nor a defeat. It was carnage. Two ferocious days when nobody wanted to fight, but which left 40,000 bodies on the field. *La Bataille* is a prototype of all battles."

Accused former aide of Yeltsin flees sick bed

FROM ROSIN LODGE IN MOSCOW

A FORMER close associate of President Yeltsin, being investigated for bribery and corruption, has slipped out of the country, purportedly to seek medical treatment in France.

Doctors in St Petersburg said yesterday that Anatoli Sobchak, the city's former reformist Mayor and a strong ally of Mr Yeltsin during the later part of perestroika, flew to Paris last week, a month after being taken to hospital with heart trouble.

"Sobchak discharged himself from the St Petersburg Military Academy heart surgery clinic on November 7 and has flown to Paris for further treatment at an American hospital," Gennadi Khmbulava, deputy head of the clinic, said yesterday. Mr Sobchak had not wished to cause trouble for medical staff in St Petersburg, because his illness had become a

matter of political speculation. The initial interrogation of Mr Sobchak, 60, had to be cut short last month when he was taken into intensive care after apparently suffering a heart attack during questioning by prosecutors in St Petersburg.

He is accused of accepting bribes — allegedly amounting to tens of thousands of pounds — and using his office as Mayor, which he held from 1991 until last year, to procure flats for friends and relatives. He was also being asked about an incident in 1993, when he was reported to have been detained at Heathrow airport with \$1 million (£500,000) in cash. President Yeltsin served notice earlier

this year, of a crackdown against corruption among government officials, giving a warning that no one would be exempt. But so far no major personalities have been brought to book.

The only two prominent people to have been investigated are Mr Sobchak and Sergei Stankevich, another former Yeltsin ally accused of taking bribes while working as deputy Mayor of Moscow. Mr Stankevich was detained in the summer in Poland, where extradition proceedings are under way.

No formal charges have been laid against Mr Sobchak, a lawyer who rose to prominence in the late 1980s when he and Mr Yeltsin were among the leaders of the main reformist group in the Congress of People's Deputies, the last Soviet parliament under former President Gorbachev. As Mayor of St Petersburg, Mr Sobchak was praised in the West for overseeing a rapid privatisation programme that became a national model. But his popularity swiftly declined amid growing rumours of corruption in his administration. Last year, he was defeated in his bid for re-election by his deputy, Vladimir Yakovlev.

Mr Sobchak has denied all allegations against him and says he is a victim of political persecution. He has also rejected the claim that his heart trouble was faked in order to avoid further questioning. But his latest move is certain to fuel allegations by his critics.

6 In 1993, he was allegedly detained at Heathrow airport with \$1 million.

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Plagued by a mystery illness

If in our twenties conversation tends to be about relationships, in our thirties about careers and in our forties about schools, then from our mid-fifties the talk is increasingly about our ailments. We queue up in our doctor's surgery, seeking a cure for our bad backs, tennis elbow or housemaid's knee.

It is little comfort that our sciatica or irritable bowel syndrome is trivial compared with the cancer or multiple sclerosis suffered by others. Pain blots out all other preoccupations. Debility becomes insufferable because, like Samson chained to his pillar, we remember the days of strength and good health.

Just over two years ago, when I was 54, a small lump appeared beneath my collarbone. The consultant to whom my GP referred me thought it might be a tumour. It was removed six days later under local anaesthetic and turned out to be a harmless polyp.

Eight days after the operation, I awoke feeling ill. My limbs and joints ached as if, instead of dining out the night before, I had been beaten black and blue. It was not unlike a form of flu. I did not feel ill enough to stay in bed and carried on as best I could.

The malaise persisted and I went to my GP. A simple blood test revealed nothing unusual. He thought that it was probably a virus, and would eventually go away. But the aching joints and limbs persisted and, as time passed, were joined by other symptoms: a tingling of the nerves, like mild shingles; small spasms in my legs; and waves of tiredness that came over me at odd moments.

I noticed that I was running a mild but persistent fever. I also developed a dry cough, unpleasant for me and exasperating for my family. I worked as best I could, writing for an hour, then dozing for an hour. I often felt slightly livelier in the evening and did not look unwell. Regular doses of ibuprofen anaesthetised the aching of my joints and limbs and the unpleasant tingling of my skin.

In January I went back to the doctor, who sent off a blood sample for a more thorough investigation.

Novelist Piers Paul Read tells how his ailments had doctors puzzled

This test revealed a lymphocyte count slightly below the norm. A second test six weeks later showed the count remained low. I was referred to a consultant physician.

When I first saw him he was pessimistic. Searching for the cause of such a vague ailment was like looking for a needle in a haystack. He could discount myalgic encephalomyelitis (ME) because that showed no abnormalities of the blood, but the other possibilities included tuberculosis, toxoplasmosis, lymphoma, Hodgkin's disease and even a recurrence of brucellosis, caused by contaminated cow's milk, from which I had suffered in the 1970s.

Over the next few months I had more blood tests, an X-ray and a scan of my liver and spleen — which showed only that I had a "birth mark" on my liver. The blood tests also had negative results; apparently my antibodies reacted vigorously when fed a TB germ.

Then suddenly my eyesight became bleary. My optician said the pressure in my eyes was above the norm and sent me to the emergency unit of an eye hospital, where it was discovered that the pressure was even higher than the optician had thought: there was a danger of blindness caused by crushing of the optic nerve.

It was perhaps glaucoma, although I had no family history of this hereditary disease, and drops were prescribed to reduce the pressure. Later it was diagnosed as ocular hypertension. I mentioned my other ailment but was assured that there could be no connection.

I began to see myself as Job and tried to show his resignation. But then a lump appeared under my eye. A consultant dermatologist thought it was a tumour. It was removed, and turned out to be harmless.

Suddenly, in the new year, I was told by the consultant physician that the last blood test suggested that I had been infected by the Epstein-Barr virus, otherwise known as mononucleosis or glandular fever. Nothing would cure this. I was referred back to my GP.

It seemed plausible. My son had had glandular fever shortly before my illness had begun. Might I not have breathed in the germ? The only oddity was that I had never had swollen glands. Still, the diagnosis came as a relief. I began to discover other EB sufferers: we exchanged information about alternative cures. My children insisted that I try acupuncture; and for some months I went on a stringent homeopathic regime.

All to no avail. My symptoms persisted and I became resigned to the fact that only time would deliver me from EB. But then, some time last March, a strange red patch of raised skin appeared at the end of my nose. My wife called it a carbuncle. My daughter my "manky" nose. It was unsightly but not painful. My GP thought it might just be a symptom of ageing: he had seen nothing like it before.

In May I was due to go abroad and decided that I would be more presentable if something were done about my carbuncle. Familiar by now with the slow working of the NHS, I made a private appointment with the dermatologist. He said that, while he saw thousands of skin complaints every year, he had never seen anything quite like mine. He took two biopsies and sent them off for analysis.

Five days later he rang to say the inflammation was sarcoid. I rushed to *Black's Medical Dictionary*, where my eye fell on the word "sarcoma" and, for a few hours, I thought I had cancer of the nose. My long-suffering GP referred me

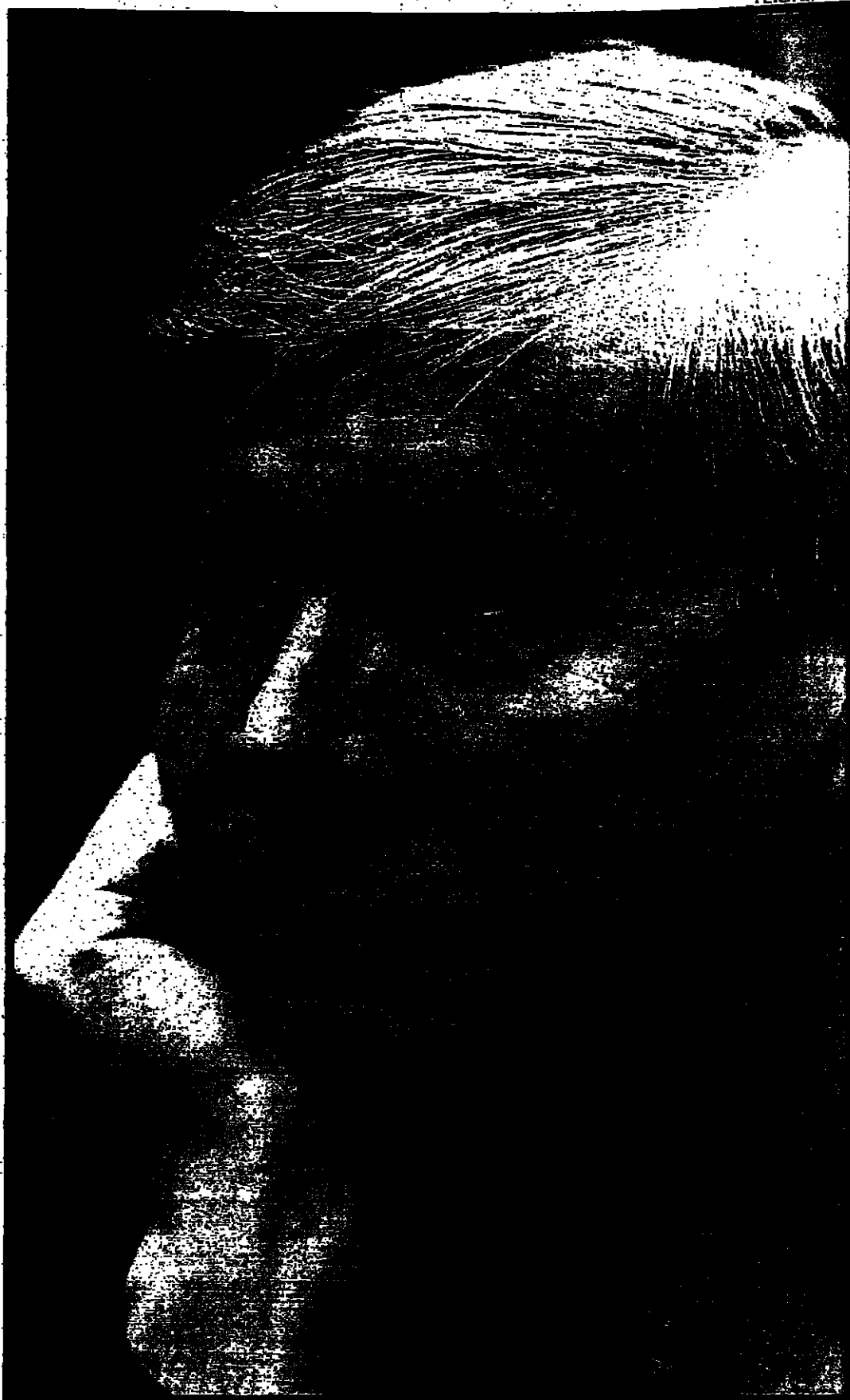
to a specialist in sarcoidosis. I was back within the NHS. After an X-ray and a lung test, I went for a gallium scan: radioactive material was injected into my bloodstream that would cling to any areas of sarcoid involvement.

At the end of August I saw the result: bright patches of radioactivity around my eyes, my salivary glands and the lymph glands in my lungs. It was a classic case of sarcoidosis.

What is sarcoidosis? It is described as a "granulomatous disorder" that can affect various organs, particularly the lungs but also the eyes, and is found mostly in northern Europeans and Afro-Americans. The kind of skin condition apparent on the end of my nose can be associated with other skin involvement, especially on the shins; other symptoms are fever, fatigue, weight loss, a persistent cough and a low lymphocyte count. It is controlled by steroids or immunosuppressant drugs. It can clear, often unnoticed, within a few months or persist over a number of years. Heredity may be a factor but the cause is as yet unknown.

A low dose of steroids in the form of Prednisolone now control my condition. The pain has left my limbs and joints. The cough has stopped. The fatigue recurs only occasionally. There have been no notable side-effects from the steroids. I was told to beware of spending money: businesses have been known to go bankrupt in the hands of a managing director on steroids. And I was warned that I might have moods of unusual depression or elation, but the only elation I feel is what one might expect at feeling well after two years of feeling ill.

But unlike Samson, I have not regained enough strength to pull down the pillars of the Philistine's palace. I merely return to the normal condition of a man between 50 and 60 who has spent his life at a desk — overweight, with a bad back and a failing memory; less hypochondriacal, perhaps, and more sympathetic towards the sick, especially those suffering from vague illnesses that go undiagnosed.



Piers Paul Read: "I felt as if instead of dining out the night before, I had been beaten black and blue"

Why smacking children is bad for their parents

It's one of those situations where none of us can get it right. But it seems to me that the Government has got it particularly wrong if, as seems likely, it enshrines in law the right to smack children.

Paul Boateng, the Under-Secretary for Health, has committed the Government to clarifying the law following the announcement by the European Commission of Human Rights that a child who was severely caned by his

stepfather had suffered an abuse of human rights. The Government will be coming up with a legal formula to differentiate between beating and smacking. And in so doing, because it will be outlawing "degrading" beatings, it will also, by implication, be legalising smacking. This is a right I do not want.

There are a lot of good reasons for not hitting one's children, and one of them is that it is bad for your own self-esteem. Hitting my children (I

have two daughters, aged 9 and 4) makes me feel ashamed and humiliated. And too much shame and humiliation does not a warm, witty, sophisticated human being make. Nor does it do anything for my deportment, weight, complexion or hair.

You have to hold on to your dreams in this life, and one of mine is being clever, loving and funny, as well as being stylish and sophisticated. I don't want to be a defeated mother with my shoulders

The right to hit my children would leave me feeling ashamed and humiliated, says Rachel Morris

hunched and my forehead furrowed into wrinkles because all communication has failed and I have been hitting the children again.

The other, rather more altruistic, argument against hitting one's children is that it simply does not work. When my children were small, hitting them hurt their dignity terribly (and dignity was something they had huge amounts of). As they grew older and bigger, they hit me back, and when I snapped at them "Don't hit" they answered, smartly and irreverently: "But you just hit me."

There would then ensue an argument as to who had hurt whom the most, the upshot of which was that I had to apologise to them. And too many apologies mean that

you lose control of the situation.

Now, I know that it is sometimes said that you can smack your children in a cool, rational manner (the "It hurts me to do this, but it's for your own good" argument), but for me it isn't possible. And if it were, it would be an even more alarming prospect. Because hitting your children in a cool, rational way suggests sadism dressed up as self-righteous hypocrisy.

What is worse is that the children would know it, because children are intuitive. Although they often don't fully understand the niceties of an argument, they do recognise the feelings behind it. What could be worse than to know

that your children know that you enjoy hitting them?

For some years now government has been under pressure to outlaw the smacking of children. Now it seems that the Labour administration finds itself, curiously, taking the opposite line, and sanctifying in statute the right of a large person to hurt, even if only slightly, a smaller one.

In a way, however, it seems to me that the legal status of smacking is beside the point. When we lose our temper

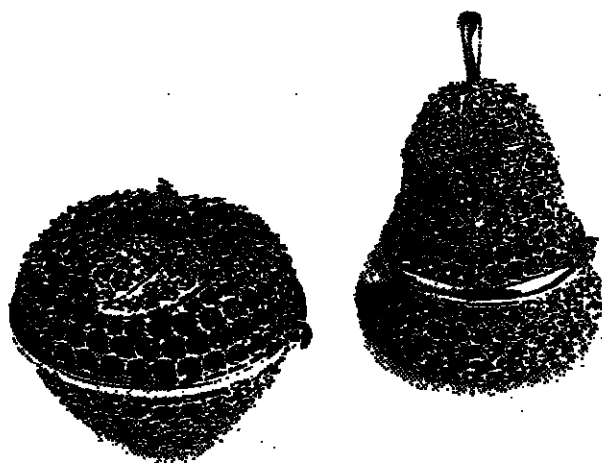
with our children, surely what we are feeling — apart from an ungovernable flash of rage — is a childish desire to wait to the heavens: "Oh Lord, why have you made it so difficult to bring up children? Where has the extended family gone? Why is it so difficult to earn the money to pay the bills, and be a good mother, and also to find time to talk to my husband?"

I know it was never easy, but surely it has become particularly difficult, with

childcare so expensive, and so hard to find, and so costly in terms of the hours we have to work to pay for it, which means that we hardly see each other, or the children. And when we do, we are exhausted. To say nothing of our anxieties about drugs and crime, and the state of the children's schools. Perhaps if the Government could worry more about some of these questions, we might find that the smacking issue would take care of itself.

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DAVID CHESTNUT

While the world teeters on its axis following the news that the Spice Girls have split with their manager, Simon Fuller, many will see merely a ritual as old as the pop music industry itself: the clash for control between artist and management. Ever since a fairground huckster called Colonel Tom Parker saw dollar signs in the young Elvis Presley, managers have reserved the right to run not just artists' careers, but also their lives.

Colonel Parker, the archetypal showman Svengali, and Simon Fuller, the low-profile businessman, are poles apart in their style — and the music industry of the late Nineties is a very different

place to the nascent one of the 1950s — but the factors involved are not dissimilar. A manager controls an artist, making decisions that directly affect the artist's career and dictate how much money he or she earns. What has changed over the years is the balance of the relationship. These days, the artist has a far sharper idea of where they are going, what they want and how to attain it. They are far more likely to strike out on their own if it fails to materialize, and with showbiz lawyers always keen to fight a clause, the ground is a great deal more even.

The past year has seen a number of public rifts between young artists, traditionally assumed to have little idea of what they are doing, and their mentors. The former members of Take That were quick to exert their individualism after the band split up. Both Robbie Williams and Gary Barlow rapidly parried company with Nigel Martin-Smith, who had controlled their careers with military precision for six years.

Barlow was always destined for a solo career and Martin-Smith had always intended to use the band as a springboard for that

career. But when the moment came, Barlow chose to go his own way. "Nigel earned his reputation as a Svengali manager, but the credit should go to the band because we were the stars here," says Martin-Smith, a different band member and make the shows different," recalls Barlow.

Martin-Smith earned a reputation as a ruthless man, not afraid to exert his control or vent his spleen on those around him, an approach that made Barlow, essentially a warm and generous person, uncomfortable. "He was tough, but he was highly ambitious. He wanted to work with top American songwriters and producers, and a manager famous for throwing his weight around was not going to be able to deliver that.

For Williams, catalyst of the Take That split, leaving the band and Martin-Smith was an act of rebellion. Martin-Smith was paternal in the extreme and Williams grew to hate the regime forced on him. However, his wayward spirit, spiralling ego and drink problems made him a difficult character for anyone to work with. Within six months he had worked his way through two more managers in former Creation Marketing manager Tim Abbott and Jelly Street's Kevin Kinross. The result for Williams was a deal with Chrysalis that included a pile of law suits including one for Martin-Smith for £200,000.

ship with Simon Fuller's firm, 19 Management, declaring: "We [Take That] had only touched on our potential, the Spice Girls show how big international success can be — and I want a bit of that."

Yet by last June, the relationship had foundered, amid rumours, ironically enough, that the breakdown had come because Barlow felt Fuller was devoting too much of his time to the Spice Girls. Significantly, Barlow is now managed by Christina Kyriacou, former marketing director at his record label RCA, who left in order to set up a company to look after Barlow's affairs — and only his. At the time he is her sole client.

Frequently, the smoothest artist-management relationships are

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prepared to back up his claims with his fists but he only ever threw his weight around to further the band's cause and he made them a fortune in the process.

Two of the biggest rock acts in the world can point to unbroken relationships that favour the artist rather than the manager: U2 and Oasis. Oasis is the only band represented by Ignition Management, which has managed them since the beginning. The company's almost anonymous figurehead, Marcus Russell, is respected for his ability to cut deals while massaging the egos of his often volatile charges. Significantly, while Oasis enjoy a 'rock n' roll reputation' (ie, they are supposed not to care about money), Noel Gallagher knows 44-year-old Russell will move quickly when their interests are threatened.

Thus, when merchandisers attempt to chisel in on the band or radio stations break embargoes, punishment is swift. A recent unauthorised attempt to post Oa-



Ginger Spice (Geri Halliwell) with her arm around Simon Fuller at the Ivor Novello awards earlier this year. There are rumours that his recent sacking followed rows between the two

sis lyrics on the Internet was threatened with immediate reprisals.

Russell, however, would never dream of dictating what Oasis could or could not say. He does not need to control them like that — the worse their behaviour, the more the press loves it. However, for teenage acts, presentation and media relations are all. A fall from grace could signify the end of the gravy train.

When East 17 singer Brian Harvey made his infamous comments about Ecstasy and failed to turn up for an engagement on *TFI Friday*, the band's manager, Tom Watkins, appeared to exert ulti-

mate control of the band: the right to hire and fire. He refused to work with Harvey, or with the band unless they fired him. The confrontation precipitated the departure of song-writer Tony Mortimer and the severing of Watkins's links with the group.

"Frankly, Brian Harvey had the manners of a pig. I loathed and detested his behaviour. He was disgusting," says Watkins.

Did he push the band too far by trying to govern their morality? "I've never operated that sort of regime," he replies. "I'm not their headmaster, their parent or their lover, and I'm certainly not going to be their whipping boy. The door

is always open here, you can walk in or out."

In fact, Watkins admits to expecting a five-year relationship with his acts before the cracks begin to show. "You're dealing with young people, often very thick ones in the pop world. People with no business acumen or grounding in life," he says contemptuously.

"They tend to think they'll make it without the help of the manager so they can quickly save themselves 20 per cent by dumping them. It's a huge mistake and history demonstrates that."

So have the Spice Girls, who have already made £35 million largely through Simon Fuller's

drive and business nous, made a mistake?

"I don't know whether it's an error, it's not for me to say," says Watkins. "If they want to leave while the party's still rocking, that's great. But if it's going to disintegrate into one of them going off with Simon Fuller, another doing something else, then that's sad."

Rumours are already flying concerning the reasoning behind the Spice Girls' decision to fire Fuller. Some reports say Fuller was sacked after a series of rows

with Ginger Spice, Geri Halliwell, including a confrontation over an alleged "close relationship" with

Baby Spice, Emma Bunton. And first-week sales for the album *Spiceworld* were poor when compared with those of Oasis or Prodigy but then, musically, the band are no longer there to be discovered. They are about marketing, and in these terms they are unparalleled, having cut deals to advertise Pepsi, Walkers Crisps and Impulse Deodorant throughout the efforts of Fuller. Money, then, would appear to be off the agenda.

More likely, the split was about power and who, ultimately, runs the Spice Girls. The five have shown from the start, when they dispensed with the services of Bob and Chris Herbert, the management team that first put them together, that they are willing to exert their famous brand of girl power on anyone seeking to run them rather than their careers.

Whether they have taken control of their destiny so wisely this time remains to be seen, but early suggestions are that they are looking for a new team. To do the job themselves, as has been suggested, would only precipitate the end.

Management is there so that someone can deal with the day-to-day business, relieve the hassle, act as a buffer zone — and which Spice Girl is going to take responsibility for that, and thus be seen to run the band? The truth is, artists can survive but rarely thrive without management. More likely, new, more pliable hands will be found to keep things running smoothly while stage three is hatched: an album with a solo slot or possibly even five solo projects.

However, for a band without an obvious front person or song writer — 19 Management, incidentally, looks after the Spice Girls' song-writing teams, Stannard and Rowe, and Absolute — that one could cause a few headaches.

For the time being, the Spice Girls are still a gold mine, though whether the mine will remain productive without Simon Fuller in charge remains to be seen.



Robbie Williams (left) and Gary Barlow (right) rapidly parted company with their manager after Take That split, while Liam and Noel Gallagher have stayed loyal to their mentor

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Meltdown of our plastic age

Anna Somers Cocks
on the problems of
modern conservatism



PARTY PRIZ

How Formula One got both its money and its money back

Tony Blair is now feeling for the first time what it is like to be in the middle of a major scandal. Earlier this week the problem was a small patch of mire concerning relations between his public health minister, Tessa Jowell, and the exemption of motor racing from the ban on tobacco sponsorship. The link was Ms Jowell's husband, David Mills, who had worked for a Formula One team. The charge seemed always unfair since Ms Jowell had been arguing against her husband's interests and was overruled by Downing Street. But who ever said that politics was fair? The trouble seemed set to pass.

Now a much larger lump of mud stands in Labour's way. It transpires that the Labour Party may have been given £1.5 million for its election campaign by the head of Formula One, Bernie Ecclestone. Tony Blair's decision to support the motor racing lobby and its tobacco sponsors against the interests of public health and the spirit of his manifesto was always an odd one. The arguments of Mr Ecclestone about jobs in the racing industry did not seem to have been aggressively tested. How much did his contribution help his cause?

In Opposition Labour always argued that the Conservatives were in the pocket of those same tobacco companies who are responsible for so much of Mr Ecclestone's business success. Indeed, the Tories vetoed an attempt to secure a European directive against tobacco sponsorship. Now it is known that Mr Ecclestone was a massive supporter of them too, giving some £8-10 million, according to party sources.

His generosity to both parties must dwarf that of any other donor. It is impossible, however, to say for certain. The Tories have never published either the names of their donors or the amounts given — although William Hague now plans, like Labour, to reveal the names behind all donations of more than £5,000. This level of transparency is also deceptive. The difference between

£5,000 and £8-10 million is critical. The former might buy a place at a couple of fundraising dinners attended by Cabinet ministers. The latter could bankroll a party through most of an election campaign.

Labour has now undertaken to pay back Mr Ecclestone's money, on the advice of Sir Patrick Neill, Lord Nolan's successor. He found that the party had breached no rules, but that "in order to avoid the appearance of undue influence over policy", the money should be returned. The Conservatives, who can no longer help Mr Ecclestone, may feel safer in keeping their money. They should examine their consciences too.

Sir Patrick may be right that no rules have been broken. But this merely shows the inadequacy of the rules. Not only the names of party donors but the amounts of their donations should be disclosed. Otherwise voters will have no idea of how beholden a political party might feel to its supporters.

Mr Ecclestone's munificence may have had not the slightest effect on Mr Blair's decision to exempt Formula One. But the arguments that his ministers have used to support the policy were hardly persuasive. It was claimed, for instance, that 50,000 British jobs depended on Formula One. Actually, that figure represents total employment in the motor sport industry, of which Formula One accounts for just 8,000.

Even then, it seems naive to believe that these jobs would go if motor racing moved out of the European Union. Just one Grand Prix takes place in Britain. Yet this country dominates the sport. Formula One teams will continue to use the most successful companies, and these will continue to be British.

If the Labour Party used to be instinctively anti-business, new Labour is in danger of succumbing to the opposite kneejerk reaction. Business will argue for what will maximise its profits; and this does not always equate with the national interest. Mr Ecclestone has both won his way and got his money back. He must be delighted.

SCEPTICS AT THE CBI

Brown and Barclays move in parallel universes

Despite talk last week of a "ten-year rift" between the Confederation of British Industry and the Conservative Party, William Hague won a surprisingly warm reception from the CBI conference yesterday. He told them what many did not want to hear; but he did so with thoughtfulness and cogency. This was not the speech of an anti-European, but of a modern sceptic.

With cool rationality, Mr Hague warned his audience of the dangers to their own businesses of signing up for a single currency. Yes, transaction costs would be reduced and transparency increased. But did British businesses really want to pay 45 per cent corporation tax, as in Germany, rather than the 31 per cent they pay here? The European Commission has already complained about the "harmful tax competition" coming from Britain. Once in EMU, the Government would find it hard to fight imposed uniformity on tax rates.

Mr Hague also reminded CBI members of how they suffered when the pound was in the ERM. Being stuck in a single currency would be like being "trapped in a burning building with no exits". His economic analysis took his listeners through the adverse impact on demand and jobs that EMU could cause. Sensibly, he appealed to their selfish instincts as business leaders not to any wider, more abstract sense of democratic duty.

Yesterday's debate proved that CBI members are by no means unanimous in their support for EMU. So did the letter to *The Times* from the heads of 13 large companies ranging from Lomax to Associated British Foods, Jardine Matheson to Kwik Save.

Perhaps the most persuasive contribution came from Martin Taylor, chief executive of Barclays Bank. "I have been a Europhile all my life. But I am an EMU-sceptic," he said, before going on to explain that only political integration and a federal taxation system could make EMU work. Without an exchange rate to take the strain of economic adjustments, all the burden would fall on the labour market, with wage cuts and higher unemployment the result.

Did Gordon Brown heed any of this impeccable economic logic? The Chancellor could have been living in a parallel universe. His comparison of EMU with the single market in terms of loss of economic sovereignty was spurious. Regulations governing the contents of a bottle of beer can hardly be equated with irreversible loss of control over the entire economy.

If the Chancellor is not to be allowed to join EMU in this Parliament, he seems determined instead to bring it in by stealth. His preparations aim to encourage British companies to do business in euros, to issue shares, pay taxes, file accounts and have bank accounts in the currency. He intends to flood schools and libraries with pro-EMU propaganda. If he has his way, by the time of the referendum the momentum will be unstoppable.

It is of course wise for businesses and Government to prepare for EMU; Britain will be affected outside as well as in. But there is all the difference in the world between being prepared and being frog-marched. Mr Brown compared EMU to decolonisation: he should be reminded that membership is not a foregone conclusion.

INTERESTS OF JUSTICE

Judge Zobel has rightly exercised his discretion

The debate about the extent of Louise Woodward's complicity in the events surrounding the death of Matthew Eappen will continue even after the dramatic events in a Boston courtroom yesterday. In truth it is almost impossible to know what actually happened on February 4. The sentence finally handed on February 4. The sentence finally handed on February 4. The sentence finally handed on February 4.

Judge Zobel has spent the better part of a week constructing his opinion. The state law allowed him considerable discretion in these matters, although on the implicit understanding that a jury's decision should not be altered often or lightly. There were many in Britain who hoped, understandably, that he might quash the charge outright or order a retrial. Those courses were always highly unlikely.

In the circumstances, the judge travelled as far as he could have. He knew that the original jury had been placed in an impossible situation. The 12 had been asked to choose between absolute guilt and total innocence. Those who had sat through this case thought the truth sat somewhere between the two in an uncomfortably substantial grey area. Judge Zobel offered himself the option of involuntary manslaughter which had been denied — by the

deliberate decision of prosecution and defence alike — to the jury. He came to the reasoned assessment that this is what they would have chosen. He offered his reassessment, as he said, in the interests of justice.

In his opinion the judge did his best to unpack the evidence. He argued that the death of Matthew Eappen was "not characterised by malice in the legal sense" but instead was the result of "confusion, inexperience, frustration and some anger". That still implies that some responsibility should be placed with Miss Woodward. This view will be resisted by her supporters. They will have further opportunities to outline her innocence. The law of Massachusetts offers many avenues of appeal.

Judge Zobel could not, however, ignore the original views of the jurors entirely. When put in a corner they preferred too much guilt to too little. In reaching this view they rejected a large chunk of alternative interpretation put forward by the various defence lawyers. That was their right and it should be respected. The injuries suffered by Matthew Eappen require explanation. The outcome to this trial reached last night — provisional as it remains — will strike many, perhaps most, as still unsatisfactory. But it is much better than it looked ten days ago. Judge Zobel deemed that the mistakes of prosecution and defence alike should not have led to an excessive murder conviction. Miss Woodward can now seek to clear her name from a position of greater comfort.

LETTERS TO THE EDITOR

1 Pennington Street, London E1 9XN Telephone 0171-782 5000

Is topping-up the Oxbridge answer?

From Professor Sir Eric Ash, FRS, FENG

Sir, Tutorials work better than lectures — a fact to which any one who has served in academia can testify. Unhappily it is an expensive form of education, which as the major modality of teaching, Oxbridge alone has been able to afford.

One need only ask the question of whether it is equitable to support Oxbridge in the continuation of this system from the public purse to see that the answer has to be an emphatic no. As you rightly suggest in your leading article ("Quest for quality", November 10), to permit Oxbridge to charge the appropriate top-up fee seems a reasonable compromise — and one which would not, I believe, be resented by other universities.

This solution does, however, raise the fear that it might further decrease the number of Oxbridge students coming from poorer families. I would suggest that this problem could be overcome by setting up a private loan scheme, specifically to cover the top-up fees. The banks would relish the chance. Oxbridge could provide a guarantee for the repayment of these loans.

Since on the whole Oxbridge graduates tend to be employable, this guarantee would be affordable, and ensure that the terms for the loan would be benign.

Yours faithfully,
ERIC A. ASH,
11 Rippledale Grove, NI,
November 10.

From Professor Emeritus
George Wedell

Sir, Sir John Kingman (letter, November 7) is quite right. Not only do many universities other than Oxford and Cambridge maintain international standards in research and teaching without the grants provided for those universities, but they also undertake important developments in new areas of study. They could well use a national academic development fund endowed by the transfer of the £35 million at present allocated to Oxbridge college fees.

The European Institute for the Media, a research centre of international stature founded in the University of Manchester in 1983, was lost to this country in 1992 because the £750,000 per annum needed for its development could only be found abroad.

Yours faithfully,
GEORGE WEDDELL,
18 Cranmer Road,
Manchester 20,
November 9.

From Lord Rix, Chancellor of
the University of East London

Sir, It is perhaps ironic that next Wednesday when, as Simon Jenkins puts it, "the scions of Oxbridge will descend en masse on the House of Lords to protest at the threat to their subsidies" ("Tough on the top-up", November 8), I shall be performing my duties as the Chancellor of this university. I shall be awarding degrees to about 600 graduates at the third of six similar congregations this autumn.

There are approximately 12,000 students at the UEL. They come from all parts of society and many different backgrounds. Over 1,000 are from countries outside the EU. Ethnic minority groups form a majority. Over 50 per cent are women, more than 500 of them are disabled and — perhaps most exciting of all — two-thirds of them are classed as "mature".

For all these non-traditional students, UEL is a remarkable seat of higher education. To me, their existence is evidence that, should Oxford and Cambridge lose their inequitable subsidy, the scholarships and bursaries which could then be distributed among all university students would lead to a truly egalitarian society.

Yours etc,
BRIAN RIX,
Chancellor,
University of East London,
Langridge Road, Dagenham, Essex,
November 9.

From Professor Andrew Palmer,
FRS, FENG

Sir, Many academics will continue to support the present system of payment of college fees, because it costs them nothing to do so, and because it enables them to avoid the hard choices that confront anyone else who has the responsibility of spending public money.

The right strategy is to allow any university to charge top-up fees if it wishes to do so, and to allow Cambridge and Oxford Universities to transfer to their colleges whatever amounts they think fit.

If the colleges have an essential function in the continuing excellence of those universities, the transfers will no doubt be very large.

Yours faithfully,
ANDREW PALMER,
University of Cambridge,
Department of Engineering,
Trumpington Street, Cambridge,
November 10.

Letters for publication should carry contact telephone numbers. We regret that we cannot accept letters by telephone but they may be sent by fax to 0171-782 5046. e-mail to: letters@the-times.co.uk

'No win, no fee' proposal no solution to legal aid reform

From Mr D. P. Marchessini

Sir, Writing as an American lawyer, I strongly support the opposition to contingency fees for civil litigation expressed by Mr Stephen Nathan, QC (letter, November 3). However, I do so for opposite reasons.

The problem is not that lawyer and client will have different interests, but that they will have the same interest. The British common law system is based on the concept that both attorneys act as officers of the court, and although it is their duty to protect their client's interests vigorously, it is also their duty to see that justice is done.

Contingency fees change the basic relationship of lawyer and client to one of two partners, both trying to obtain money from the court (and frequently it is the attorney who receives the lion's share).

Such a relationship makes it quite unrealistic to expect attorneys to act as officers of the court. Indeed, we have the example of the United States, where for many years we have seen countless lawyers behaving unethically.

The answer is not to chuck out the legal aid system, but rather to control it better and to make it more responsible. This could be done by restricting it to cases which have a substantial chance of success, and at the same time eliminating cases which the majority of the population would consider trivial or absurd or politically motivated.

Yours faithfully,
D. P. MARCHESSINI,
Marchessini & Co Ltd,
Kingsbury House,
15/17 King Street, St James's, SW1,
November 3.

From Mr Stanley Best

Sir, Like Mr Stephen Nathan, QC, I deplore this Government's intention to dilute legal aid even further than its predecessor did. In criminal cases the legal aid fees for the Bar have been savagely cut as

from January 1, 1997. A determining officer has pointed out to me that work in one particular case prior to the new scheme, attracting total fees of £2,339.45 and covering all preparation and a trial of four days — with a fifth spent on pleas, directions for trial, an inspection of the *locus in quo* and a conference with the client — would now be rewarded by a total of £1,259.

Why? In great part because no longer is counsel paid for any written advice, the drafting of the defendant's statement of case (a vital document required to be served on the prosecution) or conferences with the client. He may thus be expected either to do over £1,000 worth of work for nothing or to see his client suffer. Only the "fat cats" will prosper, as now.

In civil legal aid cases where county court costs per case are restricted to £2,500 the result will be the same. Those able to pay proper fees will inevitably have a better service than those on legal aid.

Contingency fees offer no help for cases where damages are not the principal remedy, nor will they assist where the damages claimed are very small. Those of limited means, to whom a hundred or two pounds in damages would be thought a small fortune, will thus be excluded entirely from justice.

What price new Labour?
Yours faithfully,
STANLEY BEST,
Clebe Cottage,
Broadwoodkelly, Winkleigh, Devon,
November 4.

From Mr Lionel Bloch

Sir, Mr Stephen Nathan, QC, and other correspondents are perfectly right to underline the fact that the Lord Chancellor's "no win, no fee" proposals are no substitute for legal aid and that, ultimately, they will damage our system of justice. However, neither they nor Mr Adrian Zuckerman (article, October 28) seem prepared to acknowledge that the State cannot continue to finance the

ever-increasing cost of subsidising improvident litigants.

This open-ended liability could be brought under control by a change in our current rules of procedure, under which every bit of paper, however remotely connected with a case, is included in the proceedings.

It is this perfectionist approach to evidence which is largely responsible for the exorbitant cost of litigation. Stemming this documentary flood is obviously not popular with many practitioners; but does this justify the lack of debate on such an obvious remedy?

Yours faithfully,
LIONEL BLOCH,
Halcyon,
Ormond Avenue, Richmond, Surrey,
November 3.

From Mr Guy Mansfield, QC

Sir, The bald statement by Mr David Pannick, QC, that "conditional fee agreements... have been working well in the personal injury field" ("Why the Chancellor is right", Law, November 4) is misleading.

The only survey which has investigated such agreements to date was made by the Policy Studies Institute and summarised in a report published last September, entitled *The Price of Success*. It was a survey of 300 firms of solicitors, all personal injury specialists, and the Bar was not asked to take part.

That survey found a worrying inconsistency in the uplift (success fee) applied to cases with similar chances of success, and potentially serious cause for concern about whether the scheme is operating fairly and consistently — a matter on which it pointed out that consumers are in a weak position to judge.

Yours faithfully,
GUY MANSFIELD
(Vice-Chairman, Legal Aid and Fees Committee of the Bar Council),
1 Crown Office Row, Temple, EC4,
November 4.

Easing pain for the terminally ill

From Dr David Oliver

Sir, I am concerned that the media coverage of Annie Lindsell's court case (report, October 29; interview, November 1) may have caused confusion about the help that can be offered to control the symptoms of terminally ill patients.

The treatment to which Ms Lindsell has "won the right" is the use of carefully adjusted doses of morphine, diamorphine or other medication to relieve pain, breathlessness or other symptoms she may experience. This approach is neither new nor unusual. It is the standard practice in hospices and specialist palliative care services all over the country and should be available to any person with advanced motor neurone disease, cancer or other terminal illnesses.

Much has been made of the supposed risk that treatment with morphine or diamorphine might shorten life, by the so-called "double effect". When used appropriately, in the way reported to be proposed by Ms Lindsell's GP, Dr Simon Holmes, diamorphine is unlikely to cause death. At the

hospice of which I am the medical director, the average duration of use of morphine for patients at home with motor neurone disease is 240 days, and the average duration of use of diamorphine by injection is two days.

A person with a terminal illness should not fear that the only choice is between enduring a distressing death or having their life ended. With good palliative care, addressing the physical and psycho-social issues, death for people with motor neurone disease does not need to be distressing. Symptoms can be controlled by the careful manipulation of medication, without necessarily shortening life.

I am somewhat mystified why Ms Lindsell and Dr Holmes felt it necessary to go to court over a treatment that is readily available to her in the first place and which doctors carry out daily without fear of prosecution.

Yours faithfully,
DAVID OLIVER
(Medical Director),
Wisdom Hospice,
St Williams Way, Rochester, Kent,
November 1.

Formula 1 sponsorship

From Mr F. D. Skidmore

Sir, Doctors treating cancer thought that the incoming Government was taking a scientific and ethical approach to preventing cardiovascular and malignant disease by banning cigarette advertising (letters, November 7). However, the new occupant of No 10 and the ministerial team at the Department of Health appear to have lost their reason, now that they are confronted by the tobacco and motor industry lobbyists.

Robin Cook trumpets an "ethical" foreign policy to prevent death and injury by British-made munitions in the Third World. What now of a policy directed at saving thousands of young lives in the UK and reducing the misery of chronic ill-health and forced unemployment because of cardio-respiratory insufficiency?

Yours sincerely,
F. D. SKIDMORE
(Consultant surgeon and surgical oncologist),
11 Orchard Drive, SE3,
November 6.

Choc horror

From Mr R. N. Richman

Sir, I am afraid that Dr Napier Pennington (letter, November 7) has fallen into the trap laid so subtly by those devious foreigners. They are taking it for granted that their definition of chocolate is the true one, and that we will accept it on their authority.

My view, supported by a substantial body of evidence (around 15 stone) accumulated through years of personal experience, is that chocolate is not true chocolate without an adequate quota of vegetable fats, just as breakfast is not breakfast without both bacon and eggs. The Belgian pseudo-chocolate should be renamed "cocoa confectionery".

Yours faithfully,
R. N. RICHMAN,
Wits End,
6 Grosvenor Close, Ashley Heath,
Ringwood, Hampshire,
November 7.

Funding for Bosnia

From Mr Peter Anderson

Sir, In 1996 most of the funding for Bosnia being channelled through the European Commission was not spent, largely because its procedures, on its own admission, could not co-ordinate such a complex programme.

Early in 1997 the Commission sent an independent study team, of which I was a member, to prepare an integrated plan for the Una Sana and Banja Luka regions for the years 1997 to 1999 which could be used in all regions. It included reconstruction, kick-starting the economy, community services, repatriating refugees and displaced persons, co-ordinating inputs from all agencies and a full management approach.

More than six months have passed since the plan was accepted, but despite the desperate situation in Bosnia the Commission has done little to improve matters and the underspend continues.

The tragedy of Bosnia is not that resources are not available, but that the European Commission is incapable of organising them. It is easy to have sympathy with Eurosceptics.

Yours faithfully,
PETER ANDERSON,
4 Sweetmore Close,
Lower Oddington,
Morton-in-Marsh, Gloucestershire,
November 4.

Proceed with care

From Miss Victoria Barnett

Sir, We recently received a lovely flower arrangement from my sister. With it we got a "flower and plant care guide" which included the following words of wisdom:

Candles: These are for decoration only. To avoid the risk of fire you are advised not to light them.

Yours faithfully,
V. BARNETT,
13 Langley Avenue,
Monksheaton, Tyne and Wear,
November 9.

Act of remembrance

From Mr Joe Vitagliano

Sir, Any act of remembrance that simply looks to the deaths of the past (leading article, November 8) dooms us to an infinite repetition of such acts without any guarantee of change in the future.

Perhaps today, in what appears to be a new mood of national pride, we should use the two minutes of silence as follows: the first reserved for the tragic loss of life that inevitably accompanies war; the second for the futility that is often foisted on trusting populations all over the world who do the bidding of remote and protected politicians.

Yours faithfully,
JOE VITAGLIANO,
79 Farm Holt,
New Ash Green, Longfield, Kent,
November 10.

From Mr Brian Locke

Sir, As well as dedicating our village war memorial to the score of men who gave their lives in the First World War, the words continue:

And also a thank offering to Almighty God for the return home of their 90 comrades.

Yours faithfully,
BRIAN LOCKE,
Cadogan Grange,
Bisley, Stroud, Gloucestershire,
November 10.

Defining the age

From Mr Ray Ward

Sir, How did Collins Dictionaries come to choose "moon buggy" as their 1969 word ("Words that define the modern age", November 3)? The "moon buggy" (tunar rover) was first used on Apollo 15 in 1971.

Yours faithfully,
RAY WARD,
Flat 97, 17 Sheppard Drive, SE16.

From Mr K. L. Samant

Sir, Blairite (1997)? Never heard of it. But the whole world knows Thatcherism.

Yours faithfully,
K. L. SAMANT,
16 Charles II Street, SW1,
November 4.

I bank, therefore...

From Mr Nigel P. Ready

Sir, Your correspondent requiring a "certificate of existence" (letter, November 3) would be well advised to visit a local notary public. Notaries public, who may be found in all major towns, are appointed by the Archbishop of Canterbury and their certificates are recognised internationally.

Yours faithfully,
NIGEL P. READY
(Honorary Secretary),
Society of Public Notaries of London,
10 Philpot Lane, EC3.

From Dr John Burscough

Sir, I am often asked to countersign my patients' "certificates of existence". I always check their pulses before doing so.

Yours faithfully,
JOHN BURSCOUGH,
Woodland View, Meholn Road,
Wrawley, Brigg, Lincolnshire,
November 5.

An opportunity to win £1,000 every month

The story so far...

So who is this Marco Negri that everybody is talking about? Why? Are there lots of other Marco Negris that nobody is talking about?

In Rome, probably. I mean the one in Glasgow. Oh, that Marco Negri. He plays for Rangers. I had got that far. I want to know where he suddenly sprang from. I read last week that most of the people who win the ITF monthly prizes have him in their teams. How did they know about him?

What are you trying to say?

I suppose I'm trying to say "Why didn't I know about him?" Failure of your scouting system, old chap. We've had this conversation before.

But about Negri...

Came from Perugia in Italy for £3.5 million in the summer. Scored 15 goals in 27 games for a team that got relegated, including six in the last four matches. And all that against Italian defences.

Absolutely.

So anyone with half a brain should have known what he would do against Dunfermline and company. You said it, I didn't. But you're being hard on yourself. A lot of people thought that Brian Laudrup would score more points this season than he has so far. The trouble is, it would be a little expensive to rectify the Negri situation.

Ah yes — player revaluation, of course. £3.5 million was affordable. Since the first revaluation, he would now cost me twice that.

But are you sure your own strikers aren't up to the job? Well, you remember I was thinking of pepping up my forward line?

And every striker you considered immediately stopped scoring?

You do remember. Anyway, I did a little wheeler-dealing and brought in Chris Sutton — Glenn Hoddle obviously agreed with me, because he put him in the England squad — and although he had a header saved, he didn't actually score himself.

Neither did Negri, of course.

Er? What's that?

Yes, Rangers won the Old Firm game, but it was Richard Gough who scored the goal.

Maybe I should pay closer attention to the Scottish results. I think my point about scouting is made.

Still, it's a bit academic.

How do you mean?

I had to move so many players around to raise the cash for Sutton that I've used up all my transfers until December now, anyway.

Has your side got that Barnsley feeling? Take heart from one team which has jumped no fewer than 58,000 places this month alone.

Danny Wilson, the Barnsley manager, faces a long struggle if he is to lift his team the three places up the FA Carling Premiership table to safety. He may take inspiration from some examples of Interactive Team Football managers who have recently made far more spectacular leaps in the list, thanks to extensive use of the transfer system.

Mr G. Millington, of Worktop, has seen his team, Survivors (a message for Barnsley there), jump 2,491 places since the end of October, to the heady heights of 238th; in other words, among the contenders. The big names, like Negri and Schmeichel, have all been in and out of the side.

An even bigger jump was recorded by Mr S. Cranshaw, of Chelsea, whose Sweet FA ended October 29 placed 689th. 220 points later, he has risen to 4,801st: the last-minute signing of Teddy Sheringham and Kjell Olofsson, both of whom scored twice on Sunday, made a significant difference. Lower down the ITF tables, a few points can trigger a rise or fall of thousands of places. Jacqueline Gillies, October's winner of the Women's League, scored a relatively modest 174 points, but it was enough to boost her position in the main ITF league by no fewer than 58,712 places. "Unbelievable," she said. Only another 28,812 to go.



Persevere, though, and you will get there in the end. George Weiss, aka Rainbow George, has entered ITF in both the previous two years, but now, for the first time, sees his selection, Rainbows Topteam, stand proudly at the head of the ITF listings. "I'm quite thrilled," he said. "I don't expect to stay there very long. I've got, I think, one transfer to go." His best deal of the past week was to sign David James in place of Schmeichel — worth, in total, 13 points. He applied, unsuccessfully, for the Newcastle manager's job after the resignation of Kevin Keegan. After this, Sir John Hall might wish he had reconsidered. But if the Barnsley job comes up...

HOW IS YOUR TEAM DOING?

Call the ITF helpline on 0991 884 643

50p a minute, using a Touch-tone telephone. Public telephone cost about twice as much.



Sutton: second top ITF striker, England squad member, but no goals on Saturday

FA CUP: YOUR UP-TO-DATE TEAM SCORES

The brand new Times Feedback service provides you with a complete results sheet of your team, showing current and total scores, dates, times and details of transfers, as well as your position in the ITF League and, if appropriate, your mini-league (women's, students, youth). Scores and transfer confirmations are updated by 12 noon on the day following a match or matches.

Make sure you have your ten-digit PIN number ready when you call. To obtain an ITF Team Feedback, simply pick up the handset of the fax machine and dial the telephone number below. If your fax does not have a handset, attach a handset or press the on-hook or telephone button instead and dial the number below. Listen carefully to the instructions and press the appropriate buttons when asked. Calls cost £1.10 per minute and are available in the UK only.

The number to call for your Feedback is:

0991 111 333

If you have any problems operating this service, call the Feedback Helpline on 0172-412 3795. This service is provided by Telecom Express, Westminster Tower, London SE1 7SP.

LEAGUE UPDATES

ITF LEAGUE	PFA PLAYERS' LEAGUE
£50,000 top prize £1,000 monthly prize	Monthly prize of £1,000
STUDENTS' LEAGUE Monthly prize of £1,000 signed football and sports bag	YOUTH LEAGUE Monthly prize of £1,000 signed football and sports bag
WOMEN'S LEAGUE Monthly prize of £1,000 signed football and sports bag	

WOMEN'S LEAGUE

1 S Brooks	Sandras Specials	380
2 P Johnston	XII Superstars	372
3 S Reader	Sophie Reader FA	371
4 P Sloan	Paisley Utd	370
5 S Whitfield	Snail Busters	366
6 H Irvine	Hill's Belles	359
7 P Bee	Bumble Five	357
8 V Douglas	The Belle Delli	353
9 B Sharp	Penfield FC	353
10 L Emery	Buggey's Boys	352
11 J Blimad	James's Allstars	350
12 B Fletcher	Ab Fab	348
13 E Stange	United States	348
14 J Gardner	IS Chumbawumbas	347
14 A Gallagher	The Lynch Mob	347
14 P Bee	Sounds Good	347
17 S Catchpole	Blue Boys	345
17 C McKnight	Real Plastic X	345
19 J Lumsdaine	Ajax Leamington	344
20 S Alder	Shonas Hotshots	343

STUDENTS' LEAGUE

1 N Wheatley	H D G Is A Sad Waster	421
2 G Wilson	Dog Soldiers	405
3 Mr N Wheatley	Whitbridge is ill	395
4 I McGill	The White Helms	373
5 J Wadswell	Pat's Shabooob	372
6 N Wheatley	A Tight Horse Is Fun	368
7 Z Teer	Ziggy Greaves XI	368
8 P Henson	Hensonhammers	367
8 C Marinczak	James's XI	366
10 T Gardner	6 Chumbawumbas	362
11 Steven Shipley	Set Against	360
12 C Van Hough	The Boy Sprouts	359
13 H K Gajdhur	Hem's Eleven	355
14 J Frost	Variety Sports Inter	353
14 J Liversidge	Real Rumbottom	353
16 J Pettigrew	Tor Cosmos	348
17 J Gardner	IS Chumbawumbas	347
17 A Gallagher	The Lynch Mob	347
17 M Barker	Matte Marvells	347
17 C Tyler	Allstars 2	347

YOUTH LEAGUE

1 D Lewis	Lewis Boys II	405
2 G Calderbank	Calder XI	366
3 C Marinczak	James's XI	366
4 P Carter	Spartan Carrier	365
5 R Alden	Corpholite Boys	361
6 T Smith	Up The League FC	358
7 N Brotherton	Total Commitment	353
8 M Scarsdale	Horley Flames	352
9 D Chedham	Clifton Rovers	352
10 K Stewart	Nowt Special	349
10 R Caulfield	Caul's Dwarfs	349
12 S Bird	Golden Wonders	348
12 G McKibbin	The Roach Kings	348
12 T Stansfield	Guilford Goals	348
15 J Gardner	IS Chumbawumbas	347
16 M McKnight	Ballygallyovers	346
17 M Roberts	Krytonia Three	345
17 C Oyston	The Offspring FC	345
19 C Wheaton	Chris's Crackers	344
19 Z Zaklinski	Zacks Army	344

ITF LEAGUE

1 G Rainbow	Rainbows Topteam	459
2 Mike Madden	Poachers never change their sp	454
3 Mr D Edbrooke Stainer	Ca	453
3 S Legg	Coase 4	453
5 Mr M Jones	Big Mac Europe	444
6 George Mijostovich	JB4	442
7 Mr M Jones	No name	442
8 Malcolm Jackson	Brantingham FC	441
9 B Packerley	Legion	436
10 C Sloan	Libertas	435
11 D Ross	Goulou Goulou	435
12 Muldon	Out Of The Blue	432
14 D Penton	Came of Two Pines	431
15 Chris Forde	JB4	431
15 Mr M Jones	Chelsea 6	431
15 K Parrell	Golden Wonders	430
15 Al Hastings	Stevens Adams	429
19 Steven Adams	Mr Wade XI	428
20 Mr A Colombari	Genesis	428
21 G Dolan	Bobs Boys	427
21 R Calder	D Shute	426
21 D Shute	United	425
24 G Kooner	Inverness Undercided	422
25 Mary Ann Kennedy	H D G Is A Sad Waster	422
25 W Wadswell	This Years Lot	422
26 Diney	Fairfield Dons C	422
28 R Yates	Ace Adam 2	419
28 Mr S Legg	Murdo 6	418
31 Allison Scamlan	Flying Kiwis	418
31 J W Goody	Jed	418
31 Mary Ann Kennedy	Too Fast	415
31 B Birchall	Pike Flyers	415
31 V Cox	Pegasus And Unicorns	415
31 J Hunt	JB4	414
36 Mr M Jones	Sydney Celtic FC	414
37 Richard Callis	John Hunt Tounion 7	413
37 J Hunt	Unsworth For England	412
39 Mr Trevor K Perry	Burr's Spurs 4	412
40 C Burr	Lee Dicks	412
41 D Shute	Novus Spellers	409
41 Barber Papa a la Bacon	Kath 2	409
41 K Parrell	Goose 5	409
41 S Legg	Dons 5	409
41 D Shute	Yukon Merchants	408
45 P Rees	Teddybears Pinksicks	408
45 Mrs Sheila Boriand	Dog Soldiers	408
45 G Wilson	AC Dor UK	408
45 Chris Forde	Turners Earners 5	405
45 P Turner	Knight	405
45 A Henderson	Premier Stars	402
45 C Milner	Enid 4	401
45 J Heather	Winnor Warriors 4	401
45 Tim Oldfield	Wormo	401
45 Ceady	Nudge Nudge Wink Wink	401
45 Jeremy Dwyer	John Hunt Tounion 3	401
45 J Hunt	Don 1	401
45 Adam Hargrove	Cell Block H	401
45 D Shute	Nadar	400
45 R Jones	Spazz	400
45 A Nevinsicki	Orlando Magic	400
45 Susan Matkin	JP 1	400
45 Alex Rastiffe	Adam Hargrove	400
45 Jon Pregon	Hi Ate Us	400
45 Adam Hargrove	R.S.B.	398
45 Graham Watson	Drowned Goldfish	397
45 Richard Keenan	Bumble Twelve	397
45 P Bee	K43	397
45 Mr K Lebbby	K43	397
45 Mr K Lebbby	Whitbridge is ill	395
45 Mr N Wheatley	Tishin	395
45 A Old Barn House	Santamara	395
45 Guido	Andrew	395
45 Ceady	Ceady Dabbar	394
45 Graham Watson	Graham Watson	394
45 James Tan	Red Spencers	394
45 K Parrell	Pr 506	394
45 C Soerlet	Turners Earners 6	394
45 P Turner	R J Yates	393
45 R J Yates	T N K	393
45 A Edger	573	393
45 Gordon Taylor	Wassinton United F.C.	393
45 Peter McDunn	AI	393
45 Mr D Edbrooke Stainer	Conse 8	393
45 S Legg	Fairfield Dons B	392
45 V Cox	The Wright Ones	392
45 J Bartlett	Hakin Ud	392
45 P Darnell	Woodside Wallops I	392
45 Morgan Kelly	Alton Cow Danger Hansen	392
45 Mr K Lebbby	K29	392
45 Men D Nichols	Odds N Sods	392
45 Mr A Mellon	Turners Earn 5	392
45 P Turner	Steve Fitt	392
45 R Yates	Viv Men	391
45 J W Goody	Legit	391
45 Hugh Somerville	Nails XI	391
45 Mr I Smith	Alyssa Aces	391

PFA PLAYERS' LEAGUE

1 Paul Simpson	Derby County/Wolves	308
2 Simon Grayson	Amn Villa	298
3 John Salako	Coventry City	290
4 Don Glasby	Wimbledon	282
5 Alfuge Hasland	Leeds United	280
6 Robert Lee	Newcastle United	270
7 Steve Perry	West Ham United	262
8 Bern Kwame	Liverpool	262
9 Rob Savage	Lancaster City	261
10 Kyle Lighthourne	Coventry City	250
11 Jonathan Hunt	Liverpool	245
12 Tim Breacher	West Ham United	245
13 David Tuttle	Crystal Palace	243
14 Richard Shaw	Coventry City	243
15 David Barry	Newcastle United	242
16 David Whetall	Leeds United	240
17 Kevin Cunningham	Wimbledon	239
18 Kevin Gallacher	Blackburn Rovers	238
19 Frank Leboeuf	Chelsea	231
20 David Seaton	Amn Villa	226
21 Paul Williams	Coventry City	224
22 Kevin Mustail	Crystal Palace	223
23 Kevin Hindcock	Chelsea	220
24 Phil Babb	Leeds United	219
25 Lee Sharpe	Leeds United	217
26 Gary Mabbutt	Tottenham Hotspur	210
27 Jason Burt	Wimbledon	210
28 Dennis Wise	Chelsea	209
29 John Hendrie	Barnsley	209
30 Neil Redburn	Barnsley	208
31 Dean Holdsworth	Wimbledon	208
32 Gareth Southgate	Aston Villa	206
33 Teddy Sheringham	Manchester United	206
34 Dave Watson	Preston	204
35 Poynt Karamark	Lancaster City	204
36 Andrew Liddell	Barnsley	203
37 Robbie Slater	Wimbledon	203
38 Nigel Martyn	Leeds United	201
39 Nicky Butt	Manchester United	201
40 Graeme Le Saux	Derby County	199
41 Robin Van Der Laan	Wimbledon	194
42 Stewart Castledine	Aston Villa	194
43 Lee Dixon	Lancaster City	191
44 Kacey Keller	Aston Villa	191
45 Ugo Ehiogu	Liverpool	188
46 Patrick Berger	Leeds United	188
47 Lewis United	Crystal Palace	186
48 Andy Roberts	Newcastle United	185
49 John Beardsley	Blackburn Rovers	185
50 Colin Hendry	Derby County	184
51 Chris Powell	Tottenham Hotspur	183
52 John Salako	Aston Villa/Middlesbrough	183
53 Andy Townsend	Chelsea	182
54 Steve Clarke	Blackburn Rovers/West Ham	180
55 Ian Pearce	Tottenham Hotspur	180
56 Andy Sutton	Blackburn Rovers	172
57 Jan Robinson	Blackburn Rovers	172
58 Steve Lomas	West Ham United	172
59 Roger Cross	Tottenham Hotspur	172
60 Alan Hargrove	West Ham United	169
61 Darren Fisher	Crystal Palace	169
62 Spencer Fitt	Lancaster City	169
63 Kenny Williamson	Everton	159
64 Gary Neville	Manchester United	159
65 David Beckham	Manchester United	149
66 Nicky Eaton	Barnsley	146
67 Mark Wright	Liverpool	142
68 John Dowling	West Ham United	140
69 Graeme Zola	Chelsea	135
70 Lee Sharpe	Derby County	132
71 Colin Calderwood	Tottenham Hotspur	132
72 Alan Wright	Aston Villa	118
73 Alan Shearer	Newcastle United	112
74 Mark Edwards	Crystal Palace	108
75 Mike Whitlow	Lancaster City/Bolton	69

INTERNET LEAGUE

1 Mike Madden	Poachers never change	454
2 George Mijostovich	Big Mac Europe	444
3 Muldon	Goulou Goulou	433
4 Chris Forde	Came of Two Pines	431
5 Mary Ann Kennedy	Inverness Undercided	422
6 Allison Scamlan	Flying Kiwis	418
7 Mary Ann Kennedy	Too Fast	415
8 Richard Callis	Sydney Celtic FC	413
9 Mr Trevor K Perry	John Hunt Tounion 7	413
10 Barber Papa a la Bacon	Novus Spellers	409
11 Mrs Sheila Boriand	Teddybears Pinksicks	408
12 Chris Forde	AC Dor UK	408
13 Tim Oldfield	Winnor Warriors 4	401
14 Ceady	Wormo	401
15 Jeremy Dwyer	Nudge Nudge Wink Win	401
16 Susan Matkin	Spazz	400
17 Alex Rastiffe	Orlando Magic	400
18 Graham Watson	Hi Ate Us	398
19 Richard Keenan	R.S.B.	398
20 Guido	Santamara	395

HOW THE SCORING SYSTEM WORKS

ITF 2500 is entered in the FA Carling Premiership, FA Cup, Ball... Scottish League premier division and Tennants Scottish Cup... for 75 minutes in the match (Must have played for 45 minutes in the match)

POINTS AWARDED	
Goalkeeper	Stuffer
Keeps clean sheet (per half)*	+3 points
Keeps clean sheet	+6 points
Saves penalty	+1 point
Full back/Central defender	+1 point
Keeps clean sheet	+2 points
Saves goal	+4 points
Midfield player	+1 point
Keeps clean sheet	+2 points
Saves goal	+3 points
Striker	+2 points
Goalkeeper	Stuffer
Keeps clean sheet	+3 points
Concedes goal	-1 point
Full back/Central defender	-1 point
Concedes goal	-1 point
Striker	-1 point
Goalkeeper	Stuffer
Keeps clean sheet	+3 points
Concedes goal	-1 point
Full back/Central defender	-1 point
Concedes goal	-1 point
Striker	-1 point

IT'S NOT TOO LATE TO ENTER ITF

£1,000, a signed Mitre football and a Mitre Sports bag, and tickets to a premier league match of your choice can be won every month, plus the chance to win £10,000 in a separate FA Cup League so enter the ITF now.

The manager of the month can be won by any team, no matter where it is in the overall ITF league. The prize simply goes to the person whose team scores the highest points in any one month. If you are a student or a woman (18 or over) you may also enter the appropriate mini-league, while under-18 year olds enter the Youth league. These all carry separate monthly prizes.

By entering the ITF, your team will automatically be entered into a separate FA Cup league. Your players will earn you points for the FA Cup league (Littlewoods EA Cup and Tennants Scottish FA Cup) as well as the main ITF league.

Remember the earlier you register, the more transfers your team will be allocated.

HOW TO ENTER

Enter to ITF via The Times are now by phone only, on

0891 405 011

From the Republic of Ireland only +44 990 400 308

You must

Your full guide to ITF players and transfers

Like the stock market, even your best gilt-edged ITF investments can bring a surprisingly poor return

It has been an uncomfortable few weeks for investors. A wobble on the Far East markets, and those building society windfalls start to diminish in value from a down-payment on a BMW to a cash offer on a tenth-hand Mini. As they say, shares can go down as well as up.

This weekend demonstrated that the same is true of ITF. Entrants with Manchester United players, in particular, may find that previously gilt-edged investments have somewhat tarnished. Up to Saturday, Peter Schmeichel, the goalkeeper, was a consistent scorer of points: three for every goalless half, of which there were plenty, as the United forwards kept visitors to Old Trafford busy at the other end.

All very well when Barnsley and Sheffield Wednesday were being thrashed; but Sunday's visit to Highbury, which ended in a 3-2 defeat for Alex Ferguson's team, was also an unpleasant surprise for ITF managers with Schmeichel in their teams. An overall score of minus five (one for an appearance, but minus two for each goal conceded) is a most untypical Schmeichel score.

Dennis Irwin, the full-back, was not playing as a result of a notorious tackle last Wednesday (so should be transferred if possible), but he finds his points score (20) only one point higher than it was on September 2.



Walter: unfamiliar pleasure of a clean sheet and victory this week

Barnsley defence and the Red Sea were inevitable.

They used to sing "You'll never beat Des Walker" during Walker's heyday at Nottingham Forest, but most other players in the ITF lists have managed it so far. Walker had the unfamiliar pleasure of a clean sheet and a victory this weekend, but he is still some way below his mid-September total.

The ITF scoring system makes it difficult for midfield players or forwards to lose points, but Savo Milosevic managed it last week with no goals and a yellow card in Villa's defeat by Chelsea.



NICK SZCZEPANIK

Highbury, Sunday: Schmeichel ended with a most untypical minus five points



IN

10702	Jonathon Gould	Celtic	£3.5m
12702	Paul Jones	Southampton	£1.0m
20603	Frank Sinclair	Chelsea	£2.0m
21004	Jamie Smith	Crystal Palace	£1.5m
21103	Gary Rowett	Derby County	£1.5m
31904	Spencer Prior	Leicester City	£2.0m
40705	Paul Lambert	Celtic	£3.0m
40904	Paul Telfer	Coventry City	£1.5m
41804	Bruno Ribeiro	Leeds United	£2.5m
51502	Jim Hamilton	Hearts	£3.0m
51602	Steve Crawford	Hibernian	£3.0m
52004	Michael Owen	Liverpool	£4.5m
52704	Kevin Davies	Southampton	£3.5m

OUT

50601	John McGinley	Bolton Wanderers	£2.0m
62501	David Platt	Sheffield Wednesday	£1.0m

HOW TO MAKE A TRANSFER

YOU MAY transfer as and when you wish according to your team transfer allowance. If a player or manager moves teams during the season, it may affect the composition of your team. You may adjust your team by using the transfer system to avoid missing out on points.

EACH TEAM that was entered at the start of the season was allocated 60 transfers for the season and each team registering after that date has its number of transfers reduced by three per week up to December 13. All teams registered before noon that day will be allocated an extra 20 transfers. Teams registered after noon on December 13 will be allocated 20 transfers for the rest of the season.

THE LINE is open now and will remain open for the rest of the season. You may only make transfers by using a Touch-Tone (DTMF) telephone (most push-button telephones with a * and a hash key are Touch-Tone). You will need ten digits for your PIN which you will have to tap in (not speak). Follow the simple instructions and tap in the five-digit codes of the players that you are transferring.

YOU MAY make up to four transfers per call but may make as many calls as you wish to achieve the required amount of transfers.

TRANSFERS made before 12 noon on any day will become effective for matches starting after that time. Transfers made after 12 noon will become effective for matches starting after 12 noon the following day.

YOUR NEW player only starts to score points for you when his transfer is registered. The current score of the player transferred out remains part of your team score but he then ceases to score for you.

CALLS COST 50p per minute and calls from a telephone box cost approximately twice as much.

Transfer number: 0891 884 628.
Outside the UK: +44 990 200 538.

Code	Name	Team	Cost (£)	Week	Total
10101	J Leighton	Aberdeen	2.00	-9	-11
10201	D Seaman	Arsenal	5.00	1	47
10301	M Boenich	Aston Villa	3.00	2	28
10401	D Watson	Barnsley	1.00	-7	-34
10501	T Flowers	Blackburn R	3.50	-2	-34
10601	K Brannagan	Bolton W	1.50	-6	18
10701	S Kerr	Celtic	4.00	0	0
10801	E De Goey	Chelsea	3.00	3	32
10901	S Ogrizovic	Coventry City	1.50	-3	27
11001	C Nash	Crystal Palace	0.25	0	0
11002	K Miller	Crystal Palace	2.00	2	29
11101	M Poom	Derby County	1.50	-7	24
11201	S Dykstra	Dundee United	2.00	8	8
11301	I Westwater	Dunfermline	1.00	8	-10
11401	N Southall	Everton	2.00	-5	6
11501	G Rouse	Hearts	1.50	8	39
11601	C Reid	Hibernian	1.50	0	0
11701	D Lakovic	Kilmock	1.00	0	-6
11801	N Martyn	Leeds United	3.50	-1	37
11901	K Keller	Leicester City	2.50	0	38
12001	D James	Liverpool	3.50	8	32
12101	P Schmeichel	Manchester Utd	5.00	-6	62
12201	S Howie	Motherwell	1.00	0	0
12301	S Given	Newcastle Utd	4.00	-3	17
12401	A Goram	Rangers	5.00	8	17
12501	K Pressman	Sheffield Wed	2.00	8	-18
12601	M Taylor	Southampton	0.50	0	0
12701	A Main	St Johnstone	0.50	-3	13
12801	I Walker	Tottenham H	3.00	-4	24
12901	L Milosavljevic	West Ham Utd	2.00	0	7
13001	N Sullivan	Wimbledon	2.50	0	32
20101	L Dixon	Arsenal	3.00	0	11
20201	N Winterburn	Arsenal	3.00	0	25
20301	E Pett	Arsenal	3.00	0	13
20401	S Stanton	Aston Villa	3.00	0	11
20501	A Wright	Aston Villa	3.00	0	13
20601	S Grayson	Aston Villa	2.50	0	12
20701	F Nelson	Aston Villa	2.00	0	8
20801	N Eaden	Barnsley	0.50	-3	-8
20901	N Thompson	Barnsley	0.50	0	-8
21001	D Barnard	Barnsley	1.00	0	-5
21101	J Kenna	Blackburn R	2.50	0	25
21201	P Valery	Blackburn R	2.50	0	8
21301	N Cox	Bolton W	2.00	0	3
21401	M Whitlow	Bolton W	1.50	0	-3
21501	R Elliott	Bolton W	2.00	0	4
21601	T Boyd	Celtic	3.50	-1	24
21701	T McGinley	Celtic	3.50	0	19
21801	G Le Saux	Chelsea	4.00	0	16
21901	D Petrescu	Chelsea	4.00	1	25
22001	C Babayaro	Chelsea	2.00	1	9
22101	D Burrows	Coventry City	1.00	0	0
22201	B Burrows	Coventry City	1.00	0	0
22301	M Hall	Coventry City	1.50	-1	14
22401	D Gordon	Crystal Palace	1.50	-1	7
22501	M Edworthy	Crystal Palace	1.50	-1	11
22601	C Powell	Derby County	1.00	0	0
22701	D Yates	Derby County	2.50	-2	-1
22801	E Barrett	Everton	1.50	-2	2
22901	T Phelan	Everton	1.50	3	7
23001	G Locke	Hearts	1.50	0	-1
23101	D Kerr	Kilmock	2.50	-1	15
23201	G Kelly	Leeds Utd	2.50	-3	14
23301	D Robertson	Leeds Utd	1.50	0	25
23401	S Guppy	Leicester City	4.00	5	17
23501	S Bjornbye	Liverpool	3.00	1	0
23601	J McAteer	Liverpool	3.00	5	11
23701	R Jones	Manchester Utd	4.00	0	20
23801	D Irvine	Manchester Utd	3.50	-2	26
23901	P Neville	Manchester Utd	3.50	-1	12
24001	S Watson	Newcastle Utd	2.00	0	14
24101	W Barton	Newcastle Utd	2.00	-1	16
24201	J Berrisford	Newcastle Utd	3.00	0	6
24301	S Pearce	Newcastle Utd	3.00	5	14
24401	A Cleland	Rangers	3.00	0	16
24501	S Stensness	Sheffield Wed	2.00	-1	-15
24601	P Blondeau	Sheffield Wed	2.00	-5	-12
24701	J Nolan	Sheffield Wed	1.00	-1	15
24801	J Dodd	Southampton	0.75	1	3
24901	F Benell	Southampton	0.75	0	2
25001	S Charlton	Tottenham H	2.00	0	0
25101	C Wilson	Tottenham H	2.00	-3	-3
25201	J Edinburg	Tottenham H	2.00	-3	-2
25301	S Carr	West Ham Utd	3.00	0	0
25401	J Dicks	West Ham Utd	1.50	-1	-2
25501	A Impey	West Ham Utd	2.00	0	7
25601	S Thatcher	Wimbledon	2.00	0	3
25701	K Cunningham	Wimbledon	2.00	0	1
25801	A Kimble	Wimbledon	2.00	0	1
30101	B O'Neill	Aberdeen	2.00	-4	-18
30201	T Adams	Arsenal	3.50	0	15
30301	M Keown	Arsenal	3.50	0	0
30401	G Grimandi	Arsenal	2.00	0	15
30501	S Bould	Arsenal	3.00	2	11
30601	G Southgate	Aston Villa	3.50	0	6
30701	U Ehiogu	Aston Villa	3.50	0	14
30801	A De Zeeuw	Barnsley	1.00	-4	-21
30901	A Moosa	Barnsley	0.50	-5	-20
31001	M Appleby	Barnsley	0.50	0	-2
31101	C Hendry	Blackburn R	3.00	0	22
31201	S Henchoz	Blackburn R	2.50	0	13
31301	T Pedersen	Blackburn R	2.00	0	0
31401	G Taggart	Bolton W	1.50	0	5
31501	G Bergsson	Bolton W	1.00	-4	4
31601	C Fairclough	Bolton W	1.00	0	0
31701	M Fish	Bolton W	1.50	-4	1
31801	E Annoni	Celtic	1.50	0	1
31901	M Mackay	Celtic	3.00	0	2
32001	A Stubbs	Celtic	3.00	0	22
32101	M Rippey	Celtic	3.00	0	21
32201	F Lehoucq	Chelsea	3.00	0	24
32301	M Duberry	Chelsea	3.00	0	8
32401	S Clarke	Chelsea	2.50	0	11
32501	B Lambourde	Chelsea	2.50	0	-1
32601	L Dahl	Coventry City	1.50	0	0
32701	R Shaw	Coventry City	1.50	-1	15
32801	P Williams	Coventry City	1.50	-2	2
32901	A Roberts	Crystal Palace	1.50	0	8
33001	A Linighan	Crystal Palace	0.75	0	7
33101	D Tuttle	Crystal Palace	0.75	0	0
33201	I Stimpac	Derby County	2.50	0	7
33301	J Larssen	Derby County	1.50	-3	10
33401	S Pressley	Dundee Utd	2.00	5	10
33501	G Shields	Dunfermline	1.50	5	-8
33601	S Bille	Everton	2.50	-3	-10
33701	D Watson	Everton	2.00	0	2
33801	D Weir	Hearts	2.00	5	22
33901	J Hughes	Hibernian	2.00	-1	-6
34001	D Wetherall	Leeds Utd	2.00	-1	23
34101	G Hall	Leeds Utd	2.00	0	11
34201	R Molenaar	Leeds Utd	2.00	0	8
34301	L Radcliffe	Leeds Utd	1.50	-1	9
34401	M Elliott	Leicester City	3.00	0	34
34501	P Keenmark	Leicester City	2.00	0	19
34601	S Walsh	Leicester City	1.50	0	25
34701	M Wright	Liverpool	3.00	0	5
34801	B Kvarme	Liverpool	3.00	5	16
34901	H Berg	Manchester Utd	3.50	-2	21
35001	D May	Manchester Utd	3.50	0	0
35101	G Pallister	Manchester Utd	3.50	-2	27
35201	P Albiston	Newcastle Utd	3.00	-2	8
35301	D Pearce	Newcastle Utd	3.00	-1	8
35401	S Howey	Newcastle Utd	2.00	0	1
35501	A Platano	Newcastle Utd	3.00	-1	7
35601	S Ponnell	Rangers	3.50	5	25
35701	J Bjorklund	Rangers	3.50	5	20
35801	L Amoroso	Rangers	3.50	0	0
35901	D Walker	Sheffield Wed	2.00	5	-7
36001	J Newson	Sheffield Wed	2.00	4	-5
36101	P Atkinson	Sheffield Wed	2.00	1	-7
36201	R Dryden	Southampton	1.00	0	0
36301	C Lundekvam	Southampton	1.00	0	5
36401	K Monkou	Southampton	1.00	0	9
36501	S McCuskey	St Johnstone	0.50	0	4
36601	S Campbell	Tottenham H	3.00	-3	0
36701	J Scalls	Tottenham H	2.50	-3	3
36801	R Vega	Tottenham H	2.00	0	-4
36901	C Calderwood	Tottenham H	2.00	-2	4
37001	R Ferdinand	West Ham Utd	2.50	-2	4
37101	R Hall	West Ham Utd	2.00	0	0
37201	D Unsworth	West Ham Utd	2.00	1	-2
37301	S Potts	West Ham Utd	1.50	-1	4
37401	I Pearce	West Ham Utd	2.00	-2	9
37501	C Perry	Wimbledon	2.50	0	9
37601	D Blackwell	Wimbledon	2.50	0	8
40101	E Jess	Aberdeen	2.00	1	9
40201	P Bernard	Aberdeen	2.00	0	7
40301	M Overmars	Arsenal	5.50	2	33
40401	P Vieira	Arsenal	3.50	5	26
40501	S Hughes	Arsenal	2.00	0	1
40601	R Parhour	Arsenal	2.50	2	29
40701	D Platt	Arsenal	1.50	4	14
40801	M Draper	Aston Villa	3.00	0	20
40901	I Taylor	Aston Villa	2.50	0	24
41001	N Redfern	Barnsley	3.00	0	30
41101	E Tinkler	Barnsley	2.00	0	14
41201	D Sheridan	Barnsley	1.00	1	11
41301	M Bullock	Barnsley	0.50	1	12
41401	J Wilcox	Blackburn R	3.00	0	13
41501	B McKelvey	Blackburn R	3.00	2	13
41601	T Sherwood	Blackburn R	3.00	5	21
41701	G Filcott	Blackburn R	3.00	2	18
41801	A Thompson	Bolton W	2.50	0	21
41901	S Sellers	Bolton W	2.00	0	11
42001	P Frandsen	Bolton W	2.00	0	15
42101	M Johansen	Bolton W	2.00	0	2
50101	R Altken	Aberdeen	1.50	-1	1
50201	A Wenger	Arsenal	5.00	3	26
50301	B Little	Aston Villa	2.50	1	8
50401	D Wilson	Barnsley	0.50	-1	0
50501	R Hodgson	Blackburn R	3.00	3	26
50601	C Todd	Bolton W	1.50	-1	7
50701	W Jansen	Celtic	4.00	-1	22
50801	R Gullit	Chelsea	3.50	3	21
50901	G Strachan	Coventry City	1.00	1	14
51001	S Coppell	Crystal Palace	0.75	1	11
51101	J Smith	Derby County	1.00	-1	15
51201	T McLean	Dundee United	2.00	3	11
51301	B Paton	Dunfermline	1.00	3	11
51401	H Kendall	Everton	2.00	-1	5
51501	J Jefferies	Hearts	2.50	3	25
61001	J Duffy	Hibernian	2.00	-1	3
61101	B Williamson	Kilmock	1.00	3	7
61201	G Graham	Leeds United	2.00	3	18
61301	M O'Neill	Leicester City	2.50	0	19
61401	R Evans	Liverpool	4.00	3	19
61501	A Ferguson	Manchester Utd	5.00	-1	26
61601	A McLeish	Motherwell	1.00	-1	-3

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BUSINESS EDITOR Patience Wheatcroft

TUESDAY NOVEMBER 11 1997

BT makes big profit even though defeated in world's biggest takeover WorldCom pays \$37bn for MCI



Bonfield: penalty fee

FROM OLIVER AUGUST
IN NEW YORK

WORLDCom has secured victory in its battle for MCI with the world's biggest ever takeover bid. Its revised \$37 billion offer won the support of MCI executives to defeat a rival \$28 billion bid from GTE.

Victory was handed to WorldCom when British Telecom agreed to sell its 20 per cent MCI stake to WorldCom for \$7 billion in cash, yielding BT a \$2.25 billion pre-tax profit on its investment. BT, of which Sir Peter Bonfield is chief executive, will also receive a \$465 million penalty fee for the break-up of its proposed merger with MCI. MCI WorldCom will be

the second-largest US telecommunications group after AT&T and the world's largest Internet service provider. It will offer a full range of communications services in the US and 200 other countries. The takeover dwarfs the previous two record deals: Nynex-Bell Atlantic and RJR Nabisco, worth \$25 billion.

Bernie Ebbers, the WorldCom chairman who will be chief executive of MCI WorldCom, said he expects to achieve cost savings of \$20 billion as well as open up significant new revenue opportunities. WorldCom will assume \$5 billion of MCI debt.

The companies hope the deal can be completed by mid-1998. However, regulatory approval is by no means

certain, although a confident Mr Ebbers said: "There are no circumstances in which the transaction could be derailed."

He claimed that his team had identified new synergies after starting detailed talks with MCI and inspecting MCI's books. He said: "The increase in the price has also to do with the cash that BT gets. The number of WorldCom shares given to MCI shareholders stays the same."

Bert Roberts, the MCI chairman who will be chairman of MCI WorldCom, said with regards to the cost savings: "We will make great gains just from the difference in hotel rates in London and Jackson, Mississippi." Mr Roberts said he had informed

GTE of the WorldCom deal and indicated that a counterbid was extremely unlikely.

Both men were at pains to praise BT. Mr Roberts said: "There was nothing wrong with the BT merger. But after the board had a detailed look at what WorldCom had to offer it decided that it was a better alternative. When you are in a revolution things don't always happen in an orderly fashion. MCI could stand for More Changes Imminent."

MCI and WorldCom have not yet decided their future participation in Concert, the joint venture set up by MCI and BT, which has a call option on MCI's 25 per cent stake.

Scott Sullivan, 35, who will be

finance director of MCI WorldCom, said: "BT wanted cash — or greenbacks as they say. They didn't want to hold 8 or 9 per cent of WorldCom."

WorldCom had offered BT a partnership, but BT executives are said not to have felt comfortable with Mr Ebbers. The cowboy-booted ex-Olympic basketball player yesterday demonstrated how much time he has for business etiquette. Two sentences into reading a prepared statement he paused and told reporters: "Hell, you can tell I wrote this myself." After another two sentences he discarded the script littered with phrases like "esteemed entrepreneurs". At the end of the press conference he told reporters "Go, buy some stock."

Deal hailed as good for customers and investors

By Raymond Snoddy, Media Editor

USING an appropriately high-quality video link from the US, Sir Iain Vallance, BT chairman, and Sir Peter Bonfield, chief executive, almost purred with pleasure yesterday over the WorldCom-MCI deal.

"We think the result," Sir Peter said, represents "a very good deal for shareholders and for our customers as well."

The top BT management emphasised the instant \$465 million (£275 million) break-up fee plus \$7 billion, or \$51 per share, for BT's 137 million shares in MCI. BT shares rose 11p to 465p on the news.

Sir Peter emphasised that the pre-tax gain of about \$2.7 billion for BT, including the break-up fee, vindicated BT's original decision to invest in MCI at \$32 a share. But City analysts asked whether BT had simply taken the money and run at the expense of an international strategy.

Sir Peter and Sir Iain were emphatic that Concert Communications Services, the joint venture between BT and MCI specialising in corporate communications, left the British group in a strong position. It had a non-exclusive five-year distribution deal in the US with MCI, but now also had the freedom to talk to other possible US partners. Sir Iain

said BT had already been approached by other US companies. "We will now be looking at investments in the US and other parts of the world," said Sir Iain, who also did not rule out other options such as share buybacks if they were in the best interests of shareholders at the time.

Sir Peter confirmed yesterday's City speculation that Cable & Wireless might be a possible partner, but added that it had proved impossible to put together a workable deal in discussions last year.

He added: "We parted as good friends. Whether there are other opportunities we can do with them we shall just have to see."



The winner: Bernard J. Ebbers, president and chief executive officer of WorldCom

How BT got its wires crossed in phone war

By Fraser Nelson

THESE are the key dates in BT's on-off, off-on bid to form a transatlantic telecommunications group. Thwarted in its efforts to go global, BT will bank a \$2.25 billion profit on its MCI investment and suffer a \$465 million severance fee.

June 2, 1993: Sir Iain Vallance, executive chairman of British Telecom, secures victory in his three-year campaign to break into America by setting up a joint venture with MCI — then, as now, the second-largest long-distance carrier in the US. It agrees to pay \$4.3 billion (then £2.82 million) for a 20 per cent stake, and to swap board members.

November 15, 1995: Concert, a joint venture between BT and MCI, is born. It was set up to help both companies conquer overseas markets.

May 2, 1996: After merger talks with Cable & Wireless, BT pulls out of the £33 billion deal in a row over price.

July 16, 1996: At BT's annual meeting, Sir Iain heaps praise on its Concert joint venture, which by then had won 2,500 major customers.

August 1, 1996: MCI holds merger talks with GTE, America's third-largest local telecoms company. They come to nothing.

November 1, 1997: BT proposes a \$20 billion (£12.1 billion) merger with MCI. Concert, the joint venture's name, is to be adopted for the whole group. Sir Iain denies the MCI deal is second-best to Cable & Wireless.

June 23, 1997: BT recruits Bill

Cockburn, then chief executive of WH Smith, as managing director of BT's UK operations. He is not offered a place on the Concert board.

July 10, 1997: MCI issues a profits warning, and watches its shares plunge 20 per cent. BT's shares also plunge.

August 21, 1997: BT and MCI enter emergency talks to renegotiate the deal. Some institutional shareholders call on BT to call everything off. A day later, it emerges with a cash and shares bid worth \$22.5 billion (£11 billion), including a golden parachute which will deliver £775 million should this offer be gazumped.

October 1, 1997: WorldCom beats BT with a \$30 billion (£18.5 billion) offer. But this is payable through WorldCom's highly-valued shares rather than cash. WorldCom attempts to unravel the severance deals with BT in legal action.

October 15, 1997: GTE enters the arena with a \$28 billion (£18 billion) cash bid.

October 23, 1997: BT agrees to enter talks with GTE, aiming to agree a three-way merger with MCI and thwart WorldCom.

November 10, 1997: BT walks away after WorldCom puts in a knock-out \$37 billion bid. The deal is still in paper, but MCI accepts. BT agrees to sell its 20 per cent stake for \$7 billion, making a \$2.25 billion profit, and pockets the severance fee. Analysts say it must now find another global partner.

Managers buy polymers division of BTR for £515m

By Adam Jones

BTR made the first significant disposal of its restructuring yesterday, selling the bulk of its polymers division for £515 million in the second-largest UK management buyout in 1997. The 33 businesses sold made an operating profit of £65 million on sales of £471 million in 1996, and have net assets of about £180 million.

BTR shares edged ahead from 200p to 201p. The deal is the

second-largest MBO of the year for Britain's venture capitalists, beaten only by a healthcare purchase by Cinven. This is the 19th MBO of a BTR business since the start of 1995, according to the Centre for Management Buyout Research at Nottingham University.

The buyout vehicle is called UniPoly, and the deal is being funded by Legal & General Ventures and Japan's Fuji Bank. Legal

& General and management are providing £175 million of equity funding. The insurer is also contributing another £50 million mezzanine funding, with £395 million senior debt from Fuji. Six managers will own 18 per cent of the equity.

Lawrie Cant, former head of the polymer products division, becomes chief executive of UniPoly, which will aim for a stock market listing in three to five years.

DTI abandons attempts to bring Levitt back from US

By Jon Ashworth

THE Department of Trade and Industry (DTI) has abandoned attempts to seek the extradition of Roger Levitt, the disgraced financial services salesman — but said he would be arrested should he return to Britain.

The decision, on the eve of a High Court hearing into the legalities of the extradition move, was disclosed in Parliament yesterday. Mr Levitt, who moved to New York with his

family last year, was arrested and subsequently released on \$1 million bail, after it emerged that the alleged offence — furnishing false information to DTI inspectors — was not covered by the US-UK extradition treaty.

Nigel Griffiths, Consumer Affairs Minister, told Parliament that the extradition request had been made on advice from independent counsel. He added: "In the light of

arguments presented on behalf of Mr Levitt, my department has reviewed the decision... and concluded that the extradition request... be withdrawn."

Warrants remain open in the UK for Mr Levitt's arrest in connection with the false information charge. He is also charged with serving as a shadow director of a boxing promotion group — in defiance of a disqualification order of 1993.

UK equity bargains lure fund managers

By Alasdair Murray, Economics Correspondent

FUND managers are returning to the UK equity market in search of bargains after the recent stock market tumble. The monthly Merrill Lynch Gallup survey of UK fund managers showed buying interest among institutions at its strongest level for two years while institutional cash balances are also high.

Fund managers also strongly favour gilts, reflecting expectations that recent rate rises will slow the economy over the next year. Trevor Greenham, global strategist at Merrill Lynch, said: "The message is that 1997 problems are not the same as in 1987. Fund managers are keen on buying gilts as they are expecting growth to slow and this is providing some support to equity prices."

The FTSE 100 yesterday made modest gains, closing up 42.5 points at 4,206, after an early rise on Wall Street. High street sales bounced back last month after a weak September, a new British Retail Consortium survey published today shows. The annual value of retail sales increased 5 per cent on a like-for-like basis compared with growth of just 2.1 per cent in September.

Andrew Higginson, chairman of the BRC economic affairs committee, said that there were few signs in the data to suggest overheating or inflationary pressure for the wider economy. Separate data showed pipeline inflation pressures remain subdued with raw material prices falling 0.2 per cent in October.

BUSINESS TODAY

STOCK MARKET		
FTSE 100	4206.8	(+42.5)
FTSE All share	2287.1	(+15.46)
Nikkei	15697.20	(-139.16)
New York	7590.16	(+18.84)
Dow Jones	7590.16	(+18.84)
S&P Composite	928.28	(+0.77)
US RATE		
Federal Funds	5 1/4%	(5 1/4%)
Long Bond	98 1/4%	(98 1/4%)
Yield	5.17%	(5.16%)
LONDON MONEY		
3m Interbank	7 1/4%	(7 1/4%)
1m Interbank	11 1/4%	(11 1/4%)
STERLING		
New York	1.6202*	(1.6200)
London	1.6271	(1.6246)
Frankfurt	1.6271	(1.6246)
Paris	1.6271	(1.6246)
Switzerland	1.6271	(1.6246)
Japan	124.07	(124.25)
India	102.7	(102.9)
Tokyo close Yen 124.05		
NORTH SEA OIL		
Brent 15-day (Jan)	\$19.65	(\$19.65)
GOLD		
London close	\$310.75	(\$308.75)
* denotes midday trading price		

Less is more.

Miles van der Rooy, on design.

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1.5% discount for 3 years.

More:
1.5% cash back.

John Charcol, on mortgages.

6.95%
7.20%
APR

We've designed this exclusive 1.5% discount mortgage to cushion you from the predicted short-term rate rise, and help you to cash in if rates drop next year. With a mortgage rate of 6.95% (APR), you'll save up to £1,500 over a 3-year period. The 1.5% discount is available on all new mortgages, not more than £100,000, and is subject to a 3-year term. The 1.5% discount is available on all new mortgages, not more than £100,000, and is subject to a 3-year term. The 1.5% discount is available on all new mortgages, not more than £100,000, and is subject to a 3-year term.

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Beckett to name poor performing industries

By Philip Bassett, Industrial Editor

The Government will today identify key sectors of British industry that need to improve their performance in order to increase the UK's economic competitiveness.

Margaret Beckett, President of the Board of Trade, will detail government studies of seven industrial areas that, for the first time, will make clear their weaknesses as well as praising their strengths.

Competitiveness UK - a Benchmark for Business will show that the main companies in Britain suffer in comparison with high-performing firms in other European countries. A White Paper on the issue is planned next year.

Mrs Beckett will tell the Confederation of British Industry's annual conference in Birmingham that while many industrial sectors have great strengths, to ignore their weaknesses would run the risk of seeing no improvements in their performance.

On Britain's £12 billion no-

tor components industry, for instance, the Department of Trade and Industry's analysis will say that "overall levels of productivity performance remain substantially lower" than other countries, with lower levels of investment.

Citing the "relatively poor" performance of the sector, the Government will show that UK companies have been slower than their competitors in responding to market conditions. On printing, the DTI will say that many printers "still rely on old, mechanical processes. In these firms costs are high, skills are limited and marketing poor".

Retailing has seen high investment in new technology, but some UK retailers have been "slow" to expand overseas, unlike foreign retailers moving to the UK.

Semiconductor manufacturing will be particularly praised and the DTI will say that when planned investments come fully on stream, Britain is expected to overtake Germany and become the largest manufacturer of semiconductors in Europe. But the Government will say that the UK's growth in this sector is directly attributable to success in attracting inward investment, mentioning companies such as Siemens.

The sharp criticisms in the DTI's sectoral reports - the others are on chemicals, telecommunications and textiles - are likely to provoke angry responses from sectors keen to defend their record.

Mrs Beckett will also announce the formation of six business-based working parties that will aim to find solutions to long-term problems in business. The groups will focus on short-termism, low productivity, lack of innovation, poor educational standards and low research and development investment.

CBI conference, page 15



Dick Brown, left, chairman, and Graham Wallace, announce doubling of CWC profits

Sky package offer for all CWC subscribers

By Raymond Snoddy, Media Editor

A PAY-PER-VIEW movie service will be offered to the more than one million subscribers of Cable & Wireless Communications, the largest cable group. Even those who take the cheapest discount service will be eligible.

Headstart, the service, gives customers at least five cable channels, on top of the main broadcast channel, plus a telephone line for £11.99 a month.

Graham Wallace, chief executive of CWC, said the issue was one of those that had to be sorted out in the negotiations with BSkyB before the

two organisations agreed last week to mount a joint launch of 200-channel digital television in the UK next spring. As part of the overall deal CWC will take Sky Box Office, the pay-per-view service that will ensure that viewers are no more than 30 minutes away from seeing any of the top 10-15 films for £2.50 or £3.

Mr Wallace said yesterday that BSkyB, in which News International, owner of *The Times*, has a 40 per cent stake, had wanted to ensure that only subscribers to the premium film channels should be able to view Sky Box Office.

The launch would be phased, although Mr Wallace said that by the year 2000 all CWC subscribers would have the option of digital channels.

Mr Wallace announced that CWC's pre-tax profits for the six months to September 30 had doubled to £65 million before non-recurring items. Operating profit increased by 62 per cent to £123 million and earnings before interest, tax, depreciation and amortisation rose by 23 per cent to £333 million. The share price rose 5p yesterday to 233p.

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Tecs told to repay £5m as NVQs are withdrawn

By Christine Buckley, Industrial Correspondent

TWENTY-EIGHT training and enterprise councils will today be told to repay £5 million to the Government as 1,600 national vocational qualifications are withdrawn.

The Tecs have been summoned to the Department for Education and Employment where Kim Howells, the Education and Employment Minister in charge of training, will tell them that the quality control watchdog for education for the over-16s has vetoed NVQs from a road transport training provider.

The ultimatum from Dr Howells for the Tecs to pay back cash allocated to that provider comes after his pledge last month to crack down on fraudulence and maladministration.

The training provider at the centre of today's move - the Road Transport Industry Training Board Service Ltd (RTITBS) - is under police investigation for alleged fraud. But the Government is thought to be determined to act now to stem the increasing controversy over the mishandling of cash by Tecs which have an annual budget of £1.5 billion of public money. The RTITBS was last year stopped from trading temporarily after an investigation into some of its NVQs was begun the previous year. The business has a training provider subsidiary called Centrex.

Dr Howells decided to demand cash back from the Tecs after the Qualifications and Curriculum Authority, the overseer of standards in training for the over-16s, decided to withdraw 1,600 NVQs in level three motor vehicle maintenance. But it is not clear how many of these NVQs have actually been awarded amid the controversy over maladministration training that has dogged the Tec movement.

Last month Dr Howells singled out Centrex, the central England training provider, for attention - warning that its licence could be removed.

Chandler challenge to Mayflower

SIR COLIN CHANDLER, Vickers chairman, angrily called on Mayflower to end the shadow-bidding that has followed last week's revelation of a possible hostile bid for Vickers. He said: "A muddle has been created on this matter and Mayflower urgently needs to clarify its position." Lazarus, the adviser to Vickers, has spoken to the Takeover Panel in an attempt to force Mayflower's hand.

However, the Mayflower camp was adamant last night that it would continue to take its time mulling options. Speculation that BMW may mount a bid for Vickers was roundly dismissed yesterday. The German carmaker could still co-operate closely with Mayflower if the car-pans group mounted a successful bid.

Filofax recovery

FRESH designs helped Filofax, the personal organiser company, to lift interim profits 9 per cent, to £2.24 million in the six months to September 30, setting it on course for a complete recovery at the full year. Robin Field, chief executive, said autumn trading had been strong, although the strength of sterling had cost Filofax about £500,000. It expects to make £6.6 million for the full year, just above its 1996 record. Earnings were 5.4p (4.8p) a share and the interim dividend is 1.65p (1.5p).

Stratagem amendment

STRATAGEM, the diversified industrial group, has published an amendment to its 1996 accounts in its 1997 accounts after an investigation by the Financial Reporting Review Panel. The panel said that a table in the 1996 accounts showing assets and liabilities of NRC Refrigeration, acquired by Stratagem in January 1996, did not fully meet the requirements of the FRSS accounting standard, which was designed to improve the information provided by companies on takeovers and mergers.

Ericsson £20m contract

ERICSSON, the Swedish telecoms group, has won a five-year £20 million contract from Rascal Telecom to replace the voice communications network used by UK rail operators. The contract includes the provision of 270 MD110 PBXs, with an initial 15,000 lines being installed in offices, stations and goods yards of the private rail companies. Ericsson will also upgrade Rascal Telecom's AXE public switching platform, which provides interconnection to BT and other network operators.

Jefferson Smurfit deal

JEFFERSON SMURFIT announced that Smurfit Packaging Corporation, its wholly-owned subsidiary, has completed the sale of its American plastic drum division, to Russell-Stanley Holdings Inc for \$70 million (£41.5 million), payable in cash. The disposal of the plastics division will result in an exceptional profit of more than \$40 million. The plastic drum division consists of five American plant locations with annual sales in 1996 of approximately \$65 million.

Irish jobs boost

BOSTON SCIENTIFIC, an American healthcare company, has promised to create more than 2,000 jobs in the Irish Republic. The company is investing £140 million (£36 million) in a new factory in Cork for the manufacture of medical instruments, and the expansion of an existing plant in Galway. The 2,050 new jobs will be shared almost equally between the two locations. Boston Scientific opened in Galway three years ago.

TOURIST RATES

	Bank Buys	Bank Sells
Australia \$	2.52	2.52
Austria Sch	21.33	18.67
Belgium Fr	62.80	57.84
Canada \$	2.494	2.306
Cyprus Cyp£	0.852	0.852
Denmark Kr	11.28	10.88
Finland Mk	9.25	8.28
France Fr	10.1	9.39
Germany Dm	3.25	2.80
Greece Dr	480	441
Hong Kong \$	13.85	12.85
Iceland	128	108
Ireland Pt	1.16	1.07
Israel Sh	0.26	0.26
Italy Lit	2789	2789
Japan Yen	224.22	205.70
Malta	0.676	0.617
Netherlands Gld	3.448	3.183
New Zealand \$	2.85	2.85
Norway Kr	12.38	11.44
Portugal Esc	207.53	285.53
S Africa Rd	8.84	7.88
Spain Ptas	256.29	288.50
Sweden Kr	13.45	12.55
Switzerland Fr	2.50	2.28
Turkey Lira	319500	289722
USA \$	1.701	1.701

Rates for small denomination bank notes only as supplied by Barclays Bank PLC. Different rates apply to travellers' cheques. Rates as at close of trading yesterday.

AN EXCLUSIVE OFFER THE TIMES

20th-century classics – just £1.98

This week *The Times*, in association with Penguin Books, gives you the chance to buy up to ten bestselling 20th-century classics for only £1.98 each, including p&p. All you have to do is collect four tokens from the six published in *The Times* this week and complete the order form which will be

published again on Saturday. You can order as many books as you wish but only one of each title. There are ten outstanding works of fiction for you to choose from all of which

will make ideal stocking fillers. They include *Jacob's Room* by Virginia Woolf, *Wide Sargasso Sea* by Jean Rhys and *The Trial* by Franz Kafka.



TENNESSEE WILLIAMS
A Streetcar Named Desire
and Other Plays



GEORGE ORWELL
Animal Farm

LEFT: Blanche Dubois fights the furies of destitution, insult and madness

ABOVE: One of the great modern political allegories



CHANGING TIMES

Where does Debenhams Shop for its Training?

To keep pace with the ever changing trends of today's fashion world, successful retailers need more than just a grasp of styles and trends. That's why Debenhams chose CIMA when its training needs loomed large, as the source of advice and support to design tailor-made, up-to-the-minute financial management training programmes for its staff, whilst also encouraging greater understanding of its business and customers.

Debenhams adopted CIMA's new scheme "Training Through Partnership", because its integrated approach meets today's business needs. CIMA ensures that the practical training and experience Debenhams offers thoroughly complements the requirements of the CIMA syllabus.

With CIMA on board, Debenhams receives on-going support from its local Business Development Manager, information on the best training practices and a Quality Approved status designed to attract and retain the most gifted and sought-after financial management trainees in the market-place.

So set a trend and craft real monetary benefits for your organisation with "Training Through Partnership". Simply complete the coupon below.

YES I'm interested in discovering how my organisation could benefit from participating in CIMA's Training Through Partnership Scheme. Please send me details.

Name _____
Position _____
Organisation _____
Address _____
Tel No _____



CIMA
The Chartered Institute of Management Accountants

Fax this coupon without delay to 0171 580 8888 or send to Business Development Division, CIMA, 83 Portland Place, London W1N 4AB

STOCK MARKET

MICHAEL CLARK

BT weighs options as it collects \$2.25bn windfall

THE telephone wires were red hot in the Square Mile last night as the speculators started guessing where British Telecom intends to spend its \$2.25 billion windfall.

This follows BT's decision to accept the increased terms of \$1 a share from WorldCom Inc for MCI Communications, worth \$7.5 billion (£4.42 billion) to BT. Unlike other MCI shareholders, BT will receive cash for its 20 per cent stake. The City liked the deal and marked BT shares up higher to 465p. Now brokers want to know how it intends to spend the money.

BT last night confirmed it was on the lookout for other opportunities to do deals in the US and would also consider a share buyback.

Sir Peter Bonfield, chief executive, confirmed that despite the breakdown of bid talks with Cable & Wireless last year, both companies are "good friends". As a result, the speculators will not rule out the possibility of the two sides getting together again. C&W is poised to take advantage of the booming telecoms market in the Far East. It responded with a jump of 16p to 481p as 4.2 million shares changed hands.

Another option might be to pay Securicor, up 10p to 283p, for the outstanding 40 per cent of Cellnet, the mobile phone operator. Brokers say the stake could be worth more than £1 billion — small change as far as BT is concerned.

Meanwhile, the London market was happy to shrug off further uncertainty in the Far East to confound the experts by opening on a positive note. Sentiment was bolstered by a subdued set of producer price numbers and an opening rise on Wall Street. The FTSE 100 index closed below its best with a rise of 42.5 to 4,806.

Trading conditions remained thin, with last week's quarter-point rise in British base rates weighing heavily on investment decisions.

Legal & General was unmoved at 483p by weekend reports that Barclays Bank has made a takeover approach which had been rejected. Barclays finished 30p dearer at £15.12.

The speculators were out in force at Vesper Thornycroft, with the shares gaining 58p to 869p after suggestions the group could soon find itself on



James Barker, of Independent Parts, up 1p on good results

the receiving end of a bid from GEC. 1p firmer at 388p. Word is the asking price could be as much as £350 million. The group currently carries a price tag of around £282 million.

Vickers rose 8p to 257p as Credit Lyonnais Laing, the broker, told clients the shares were worth another 50p to 60p. Mayflower Corporation, down 21p at 173p, continues to play its cards close to its

chest. Mayflower appears to have the backing of BMW, the German car maker, which is also seen as a potential bidder for Rolls-Royce Motors, put up for sale by Vickers last week. City brokers are confident the group will unveil its terms this week.

Redland was unmoved at 331p by weekend reports that Saint Gobain is prepared to offer £800 million for its

tiles business. Redland is already the subject of an offer of 320p a share by Lafarge, another French group.

Danka Business Systems staged an impressive performance to close 40p better at 575p after Hewlett-Packard chose it as its strategic partner for the US.

A cross in a large line of shares left Charter nursing a fall of 15p at 802p. Brokers reported 200,000 going through at 800p, a 6p discount to the ruling price.

Lonica also dropped 22p to 277p after a parcel of shares were traded at a substantial discount to the ruling market price.

The breakdown in bid talks left Tele-Cine Cell Group 4p cheaper at 40p. Talks with other parties about commercial alliances were continuing.

A profits warning left ISA International nursing a fall of 43p to 96p. The group says second-half profits are running below expectations.

Radius, the computer group, was also rocked by a profits warning, ending 8p cheaper at 33p.

Independent Parts firmed 1p to 111p after weighing in with a healthy increase in half-year profits. James Barker, chairman of the automotive parts group, was also positive about prospects.

GILT-EDGED: Prices ended a touch easier in thin trading, with investors reluctant to open fresh positions ahead of today's Veterans' Day holiday and tomorrow's FOMC meeting.

The possibility of a rise in US interest rates intensified last Friday, with the employment numbers showing the biggest drop in people out of work for 24 years.

Trading in the futures pit reflected thin conditions elsewhere, with the December series of the long gilt trading in a seven-point spread for much of the day. It closed unchanged at £118.12, as just 24,000 contracts were completed.

In longs, Treasury 8 per cent 2021 was £1.10 easier at £118.12, while Treasury 7 per cent 2002 shed £1 to £100.10.

NEW YORK: Share prices surged early in line with expectations and as nerves were soothed by steadier Asian and European stocks. By midday the gains had been pared and the Dow Jones industrial average was 8.84 points head at 7,590.16.

MAJOR INDICES

New York (midday):
Dow Jones 7590.16 (+8.84)
S&P Composite 928.28 (+0.77)

Tokyo:
Nikkei Average 15697.20 (+130.18)

Hong Kong:
Hang Seng 9922.84 (+111.68)

Amsterdam:
AEX Index 857.04 (+7.87)

Sydney:
All Ordinaries 2521.60 (+4.20)

Frankfurt:
DAX 3752.53 (+52.64)

Singapore:
Straits 1063.60 (+7.56)

Brussels:
General 1306.99 (+56.32)

Paris:
CAC-40 2690.71 (+82.11)

Zurich:
SEA Gen 1143.20 (+3.60)

London:
FT 30 3135.1 (+25.8)

FTSE 100 4806.5 (+42.5)

FTSE 250 4608.2 (+2.3)

FTSE 100 2327.5 (+16.7)

FTSE 100 2280.4 (+15.2)

FTSE 100 2313.70 (+14.45)

FTSE 100 2324.54 (+12.2)

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Shopped out at BAA

IS THE great British airport shopping jamboree coming to an end? Yesterday, BAA published some half-year profit figures that gave the City a bit of a fright, causing BAA shares to take a tumble. Part of the blame can be placed at the door of investors who failed to remember that the windfall tax and the repatriation of landing charges were due to make a mess of the six months' figures. However, the real story was in the slowness at the tills in BAA's shiny new malls.

Despite a healthy footfall through the airport, net retail spending per passenger barely increased in the first half and duty free spending per head actually fell 2 per cent, an almost unheard of phenomenon for this aggressive retailer. BAA had plenty of good explanations for the phenomenon: no new space coming on stream and the strength of

sterling queered the pitch for its retail operations. The pound rose as much as 25 per cent against some European currencies and BAA's shoppers could find better reasons to buy their favourite tipples at Heathrow if it was cheaper back home in Milan.

If all this is true, it hardly dispels concern for the future. BAA cannot increase space at the airport indefinitely; moreover much of the new building is reserved for luxurious first-class lounges, where passengers are cocooned from both the hot-potato and BAA's shops. What the recent figures prove is that duty free is highly price sensitive. BAA's normally high-spending Asian travellers will become more price-conscious as their financial markets implode, all of which points to a need to give away gross margin. If the future of duty free is a price war, this stock will go nowhere.

CWC

CABLE & WIRELESS Communications was overhauled yesterday by bigger telecom brethren in the US and some wishful thinking that parent Cable & Wireless might become a revised target for BT. But CWC should not be ignored entirely. Four companies have been integrated to create CWC and with a £50 million marketing splash over six months no-one can accuse them of hiding their light under a bushel. Moreover, the presence of Mercury gives CWC the attraction of profits, rare for a cable company.

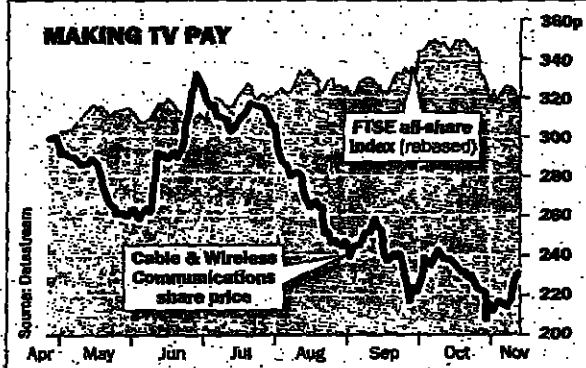
By March its cable networks will extend past 4.2 million homes, 70 per cent of its total franchises and the network is being built at the rate of 600,000 homes a year. But the greatest interest is in CWC's decision last week, to

link up with BSkyB, the satellite broadcaster, for a joint launch of 200 channels of digital television, including taking BSkyB's digital pay-per-view movie service. Sky Box Office.

Introducing 200 channels of television in the UK will be a challenge and CWC has made a very pragmatic decision to reduce confusion and

take advantage of the marketing and packaging skills of BSkyB (in which News International, owner of The Times, has a 40 per cent stake).

Wallace insisted that his margins will be just as high on digital movies as they have done the service for themselves. That bodes well for the shares.



Ransomes bid

IN future, the tending of our green, and pleasant lawns will be powered exclusively by foreign mowers. Yesterday's recommended bid for Ransomes by Textron of the US will take the UK's only big lawnmower maker out of British hands if shareholders, headed by Schroder Investment Management and Britannia Assurance, accept.

They should jump at the opportunity. Having weathered the share price slump that followed Ransomes's hideously over-gear purchase of Cushman, investors received a nasty reminder of the old days earlier this year, when a profits warning sent shares plunging 18p to 32p. Slow demand from German burghers for fancy mowers was a big factor.

John Clement, Ransomes' chairman, confessed that the company is hamstringing by its small size. Strange, though it seems, lawnmowers and traffic police transporters do

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at BAA

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...take advantage of the... ...marketing and packaging skills... ...of BAA's (in which New... ...International, owner of The... ...Times, has a 40 per cent... ...stake).

...Wallace insisted that his... ...margins will be just as great... ...on digital movies as if they... ...had done the service for... ...themselves. That bids well... ...for the shares.

...huge and relatively... ...planned. The... ...was drilled... ...known structure... ...had hoped it... ...trillion cubic feet... ...day's result... ...could be larger.

...The... ...reinforces the... ...Cain and... ...but it would... ...Bangladesh... ...Cain and... ...any price... ...needs power... ...partners to... ...market, not... ...the biggest... ...to India. With... ...Shelly's... ...portion would... ...able to... ...muscle... ...of oil... ...25 per cent... ...and a... ...owed, from... ...worth a net

...But the Asian market is key to this commodity. More than 80 per cent of gold demand is for jewellery and two thirds of fabrication demand is from Asian countries. Curiously, one thing that will not cause too much concern to anyone in this trade is the plummeting price of gold. Bullion is currently at its lowest point for more than 12 years, touching \$308 (£181) per ounce on Friday, only rising slightly yesterday as physical demand for the metal absorbed the attack from short-selling by speculators.

Sentiment towards gold, too, is at a record low, the bullion price has lost about 25 per cent in value since it last rose to almost \$200 in early 1996, but the trend has been a more or less steady erosion in value since the peak of \$492 in 1997. What has hit the gold market is no less than an earthquake. Sales by central

Wake-up call to a profession losing sight of the customer

Little did the person who coined the phrase "marketing is too important to be left to the marketing department" realise that it is fast becoming a self-fulfilling prophecy. To a profession suffering a mid-life crisis, the news that marketers are held in low esteem by their colleagues, and that the very validity of their jobs is in question, inevitably results in a further bout of navel gazing.

If the results of a survey by the Marketing Forum, the industry's annual gathering on the board of the *Oriana*, are anything to go by then marketers are going to have to improve the marketing of their own profession if they are to continue to play a crucial role in business. The survey makes depressing reading. It also highlights the fact that marketers — the very people charged with having a finger on the pulse — are guilty of committing the cardinal sin of losing touch with reality. While marketers believe that their contribution is crucial to the performance of their business, more than 300 colleagues from other departments would appear to disagree.

When it came to the overall influence on the company, 68 per cent of marketers said they were crucial to the company's performance, but only 38 per cent of colleagues from other business functions, such as sales, IT, distribution and finance, felt the same way.

This low rating is by no means limited to a general appraisal of their skills. One of the most damning verdicts was reserved, perhaps unsurprisingly, for an area that has so often been a flashpoint between the board and the marketing director: the effectiveness of the marketing budget. Only 18 per cent of non-marketing staff (and only 11 per cent of finance directors) believe that the marketing department's monitoring of its performance is good or excellent.

While marketers may view such figures phlegmatically and dismiss them as indicative of how their profession is misunderstood, the statistic becomes a wake-up call: only 23 per cent of respondents said the marketing department was responsible for customer service, with 77 per cent saying it was the responsibility of other departments.

Bob Tyrrell, ex-chairman of the Henley Centre and now a non-executive director of New Solutions, the marketing consultancy, says that as long as

Pharmacist's prescription for success on stock market

Above a chemist shop in Ruislip, West London, a fortune is in the making. Jayesh Manek, a Ugandan-born pharmacist who came to the UK as a schoolboy, is moving his armchair share-picking skills into a new league — with the launch of a fund management company backed by Sir John Templeton, the legendary Bahamas-based investor.

Some have been quick to dub Mr Manek, 42, "the Sage of Ruislip", in ironic homage to Warren Buffett, another stock market legend, who lives in a modest suburb of Omaha, Nebraska. Mr Manek has twice won *The Sunday Times* Fantasy Fund Manager competition — initially turning a notional £10 million into £502 million — and hopes to build on those skills with his new company, Manek Investment Management (MIM). The Manek Growth Fund will be launched later this month, seeking long-term capital growth through investment in UK equities.

The catalyst for the transition from chemist to fund manager came in July 1995 when Sir John, who established the Templeton Growth Fund in 1954, asked Mr Manek to manage £5 million of his personal fortune. He added a further £5 million in June last year. The portfolio, worth more than £13 million at the end of October, will form the basis for the new fund.

Mr Manek's office is above the Dallas chemist shop in Ruislip — one of four outlets owned by the Manek family. Mr Manek came to the UK in 1971, and was reunited with his family in London a year later, after their eviction from Uganda by Idi Amin. He studied pharmacy at Brighton Polytechnic, then spent two years as a trainee with Booker (which then had chemist outlets) before opening his first chemist in London in 1980.

His interest in the stock market began at college. Mr Manek recalls: "I used to read up more about stocks

Falling bullion price means global outlook for gold is none too bright

Indian demand has been a barrier to further collapse, but that could change, says Carl Mortishead

The festival of Diwali is an auspicious time for Indians to buy gold. The shiny yellow metal is much prized among the Indian community everywhere, not merely as adornment but as a symbol of prosperity and for the financial security it brings.

This year Diwali, the festival of light, fell on October 30, and only a week previously, the world gold market had received a rude shock. The Swiss Central Bank announced that it intended to sell 1,400 tonnes, a third of its reserves. The news sent the price plummeting and compounded a series of damaging blows to investors' sentiment as central banks around the world sought to rid themselves of a badly performing investment.

British jewellers will be building up stocks of gold jewellery for Christmas. They should expect to do well this year. Gold consumption is rising with greater affluence and the British are finally beginning to develop the more sophisticated tastes of their European neighbours, buying better quality gold jewellery at higher prices.

But the Asian market is key to this commodity. More than 80 per cent of gold demand is for jewellery and two thirds of fabrication demand is from Asian countries. Curiously, one thing that will not cause too much concern to anyone in this trade is the plummeting price of gold. Bullion is currently at its lowest point for more than 12 years, touching \$308 (£181) per ounce on Friday, only rising slightly yesterday as physical demand for the metal absorbed the attack from short-selling by speculators.

Sentiment towards gold, too, is at a record low, the bullion price has lost about 25 per cent in value since it last rose to almost \$200 in early 1996, but the trend has been a more or less steady erosion in value since the peak of \$492 in 1997. What has hit the gold market is no less than an earthquake. Sales by central



Glitter and glamour: In India, gold is as much investment as adornment

last point raises the most interesting question. More than 80 per cent of the world's gold demand is for jewellery consumption and the vast majority of that is from Asian countries, with India, the largest single consumer, last year absorbing 500 tonnes.

Indian consumption has been a barrier to further collapse in the gold price in the first six months of the year. Indian consumption for jewellery rose 29 per cent as the price fell. However, Asian demand may not continue to work in gold's favour; the recent falls in Asian currencies mean that Asian gold investors have seen 20 to 40 per cent gains in the local gold price, and soon, some of those investors may seek to realise profits to pay off debts elsewhere.

The only sure way of saving the bullion price from further decline would be a cut in production. At present levels, the gold price is trending below the level of the cash cost of production, which in South Africa hovers about \$300 per ounce. According to Gold Fields Mineral Services about half of the South African mines are producing gold at a cost above the market price.

But David Giese, of Merrill Lynch in Johannesburg, says the industry is under no immediate pressure to shut mines because they sell their production forward. "The average South African mine's production is hedged four years out. The spot price of gold is meaningless as they convert earnings into rand and expenditure is in rand."

The outlook is not good for gold. Depreciating currencies, such as the rand, are protecting producers that will stop mining only as a last resort. But the steady price decline mokes the metal's status as a store of value. In theory, financial turmoil should turn gold into a haven, but the financial instrument of the moment remains the dollar and the US treasury bill. But it will take more than a few weeks' turmoil on world stock exchanges to wrench people away from their emotional attachment to gold. As Mr Piasecki puts it: "You earn more brownie points buying your wife a dress than a refrigerator. But you earn the most points if you buy her gold."

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Manek fund launch

MIM is a member of the Investment Management Regulatory Organisation (Imro) and is advised by KPMG and Stephenson Hardwood. Trustees to the fund are the Royal Bank of Scotland, Crispin Money-Coutts, head of international private banking at Coutts & Co. is a non-executive director. MIM has a heavyweight chairman in Stanislas Yassukovich, former chairman of Merrill Lynch Europe. He said: "I have always been a promoter of wider share-ownership and demystifying the process of buying stocks and shares. I've always felt that the City had a problem vis-à-vis the investing public. It seems to many people who don't know it to be very much a closed shop, hard to break into, a magic circle. This is all very helpful in opening up the whole concept of investing in equities."

But anyone looking for a little extra "over the counter" share advice at Dallas chemists is in for a disappointment. Mr Manek has no plans to dispense share tips with the prescriptions.

JON ASHWORTH

Legged over

HOWARD DAVIES was in visible need of support when he spoke to a breakfast meeting at the CBI's annual conference yesterday. Not support for his newly named Financial Services Authority from business, but more a stout brown stick for his right leg. Davies, who crooked his left leg a few years ago in one of his star-studded football matches — he plays regularly with BBC boss John Birt, and Pearson TV chief Greg Dyke —

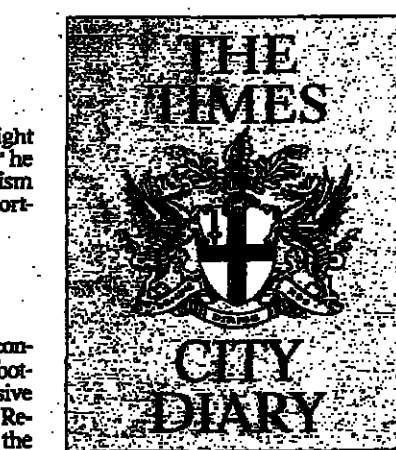


"He had to go... they found WorldCom listed on his 'friends and family'"

Liquid assets

AS IF to prove that conspicuous consumption is back, there were 40 bottles of the world's most expensive wine being knocked back at the Regent's Park office of Bibendum, the wine shipper, last night. And several parties from big City institutions I cannot name in case someone decides to have another look at their bonuses. Bibendum had acquired 40 bottles, of various vintages, of something called Chateau Le Pin, and 45 customers were prepared to pay £750 a ticket for a tasting. A case of the 1982 goes for as much as £30,000.

No wine, no matter how good, is worth £2,500 a bottle, of course, and Chateau Le Pin has reached these dizzy levels because of rarity value — only about 500 cases a year are produced — and the crazy notion of fine wine as investment. The only comfort is that one day the bottom will fall out of this market too, just as it did for classic cars. Also, signs of sanity are emerging with the arrival of Far East buyers, I am told. Simon Farr, Bibendum's buying director, says



they actually seem to enjoy drinking the stuff.

□ I THOUGHT we were supposed to be cool or something. London has done spectacularly badly in the Fortune magazine list of the best European cities in which to do business. Dublin comes first. "The Irish cultivated strong relationships with the EU in Brussels throughout the 1980s," says the magazine, which is one way of describing the extraction of \$16 billion of EU money. London, which came top last year, polls sympathy, only just ahead of Rome and its traffic and Budapest and its... well, not much when I was last there. The good news is that Paris does not appear at all.

Booking in

SOME of the City's finest leisure analysts will be at the High Court this week for their recollections of the Queens Moat Houses collapse. An unfair dismissal case is being brought by John Bairstow and three other former directors and will consider claims that they misled the market. To support its side, the company will be calling, among others, Max Dolding, of James Capel, Paul Slattery, of Kleinwort, and Mark Finnie, of NatWest. Given the popularity of QMH shares and Bairstow himself in the City before the collapse, do not be surprised if one or two of them find their memories not quite as complete as they might be.

□ MORE troubles for the Government's new savings account? Having discovered that the *Isa* means "god" or "father" in Estonian, I now learn that the new account may also have a special meaning to Moslems. *Isa* means "Jesus" in Arabic.

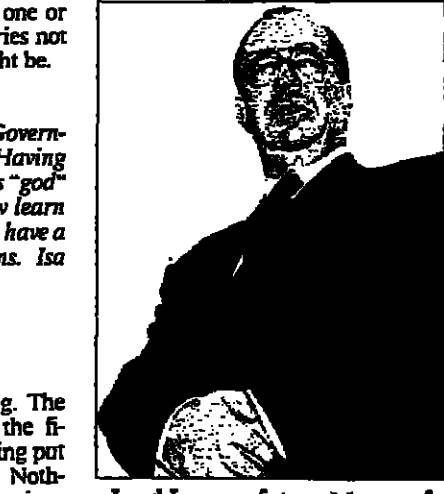
Turn again

NOW here is a curious thing. The bond issue that will revive the finances of Canary Wharf is being put together by Morgan Stanley. Nothing strange about that, the American investment bank is one of the downriver development's biggest fans.

Special adviser to Morgan Stanley is Lord Levene. He used to chair Canary Wharf, so nothing strange there either. Except that a year from now Lord Levene will be Mayor of London, and every firm Canary Wharf attracts from the Square Mile is seen as a blow for the City.

"He's not even on the list of people who have anything to do with the deal (the bond issue)," says Morgan Stanley proudly. Fair enough; but it seems an odd conflict. Some are muttering that perhaps in his year of office Lord Levene could find a City firm to be special adviser to.

MARTIN WALLER



Lord Levene, future Mayor of the City of London, advises Morgan Stanley down river

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Accor plans £800m hotel expansion in United Kingdom

BY DOMINIC WALSH

ACCOR, the French hotel and catering combine, has unveiled plans to open up to 150 hotels in the UK over the next five years at a total cost of between £600 million and £800 million.

The biggest project will be a £50 million hotel on London's Pall Mall to be developed by Marylebone Warwick Balfour (MWB), the property group. The 200-bedroom property, which has yet to gain planning consent, would become the first UK hotel to carry Accor's upmarket Sofitel brandname.

Peter Leather, Accor UK's director of development, said: "We're planning two hotels a month for the next five years." He said the Pall Mall project was one of at least three Sofitel hotels planned, with further

sites under negotiation in Edinburgh and the outskirts of London. There was also the possibility of a site in Birmingham.

Accor, which already has 35 hotels here under the Novotel, Ibis and Formule 1 brands, is investigating a variety of funding options, including sale and leaseback deals, equity participation from private individuals and institutions or a flotation of some or all of its UK assets.

Mr Leather said the five-year opening programme envisaged at least 20 new Novotels, 40 Ibis properties and 80 Formule 1 budget lodges, the latter charging about £22 a room for up to three people. He said there would be half a dozen Formule

1 units in London, including one near the Blackwall Tunnel in Docklands.

The London Sofitel scheme involves the conversion of a Grade II-listed office building on the corner of Pall Mall and Waterloo Place that previously housed Lloyd's Bank's Cox & Kings branch. MWB is to acquire a long leasehold on behalf of Accor subject to planning, and will manage the site's development. Funding will be arranged by Accor.

A planning application will be submitted shortly and MWB hopes to begin construction at the end of next summer. The four-star hotel will be on six floors, while the lower ground floor will sublet to independent restaurant operators.



Michael Paterson, the finance director of the Oriental Restaurant Group, and Hock Ann Chua at the Sri India restaurant in the City

Oriental offers air fare

BY DOMINIC WALSH

ORIENTAL Restaurant Group, which floated a year ago, has opened a restaurant at Gatwick airport's north terminal.

The 80-cover outlet, called the Gatwick Oriental, opened last week within the airport's Le Meridien hotel after the company secured a lease from Granada Group. It spent £50,000 fitting out the

premises. Hock Ann Chua, managing director of the London restaurant operator, hinted that further deals with Granada were under discussion and one involving Le Meridien at Heathrow seemed likely.

The group operates three Thai and one Chinese restaurant and recently opened the Sri India in the City. A further

restaurant is scheduled to open in Bishopsgate next year and other projects will be announced soon.

The news came as the Oriental reported pre-tax profits up by a third to £701,000 in the half year to September 30, from turnover up 13 per cent at £3.69 million.

On a like-for-like basis, the number of covers increased 11

per cent, while spending per head improved by 4 per cent. Changchun, the company's Asian wholesale grocery business, moved from a loss of £4,000 to a profit of £48,000.

Earnings per share dropped from 5.6p to 5.1p on a near 40 per cent increase in share capital. An interim dividend of 1.2p (1.0p) will be paid January 19.

PUBLIC NOTICES

PETROLEUM AND SUBMARINE PIPELINES ACT 1975

Notice of Application for a Submarine Pipeline Works Authorisation

Elf Exploration UK PLC hereby gives notice on behalf of itself, in accordance with the provisions of Part 1 of Schedule 4 to the Petroleum and Submarine Pipelines Act 1975 that it has made an application to the Secretary of State for Trade and Industry for the grant of an authorisation for the construction and use of a pipeline between a tie-in point at the Elgin/Franklin and Shearwater fields and the Low Water Mark at the Bacton natural gas terminal at Norfolk.

A map (or maps) delineating the route of the proposed pipeline and providing certain further information may be inspected free of charge at the places listed in the Schedule to this notice from 10am to 4pm on each weekday from the date that this notice is published until the date mentioned in the next paragraph of this notice.

Pursuant to a direction of the Secretary of State, representations with respect to the application may be made in writing and addressed to the Secretary of State for Trade and Industry at the Oil and Gas Office, Atholl House, 86-88 Guild Street, Aberdeen, AB11 6AR (marked FAO Ian Furneaux, Offshore Pipeline Authorisations) not later than 9th, December 1997 and should bear the reference "ABE 10/1/SEAL" and state the grounds upon which the representations are made.

Dated: 3rd, November 1997

MK Fraser, Company Secretary, Elf Exploration UK PLC.

SCHEDULE TO THE NOTICE FOR PUBLICATION

PLACES WHERE A MAP OR MAPS MAY BE INSPECTED

Elf Exploration UK PLC 1 Claymore Drive Bridge of Don Aberdeen AB23 8GB	Department of Trade & Industry Oil and Gas Office 4th Floor, Atholl House 86-88 Guild Street Aberdeen AB11 6AR	Fisheries Office 46 Fore Street Newlyn Penzance TR18 5JR
Fishery Office Alexandra Buildings Lerwick Shetland	Fishery Office Harbour Terrace Caithness KW11 5HB	Fisheries Office Fish Market Rock-a-Nore Road Hastings East Sussex TN34 3DW
Sea Fisheries Inspectorate Room 142 Penland House 47 Robb's Loan Edinburgh EH14 1TW	Scottish Fishermen's Federation 14 Regent Quay Aberdeen AB11 5AE	Fisheries Office 5 Hamilton Terrace Millford Haven Dyfed SA73 2AL
Fishery Office 22 East Shore Pittwater Fife	Scottish Fisheries Protection Agency Fishery Office 58 High Street Aberdeen Angus DD11 1AW	Fisheries Office Neville House Central Riverside Bell Street North Shields Tyne and Wear NE30 1HN
Fishery Office 5 Albert Quay Aberdeen AB1 2QA	Fishery Office 19 Seaford Road Fraserburgh Aberdeenshire AB4 5AR	Fisheries Office Old Harbour The Quay Dorset BN15 1HP
Fishery Office Keith House Seagate Peterhead AB4 6JP	National Federation of Fishermen's Organisations Marsden Road Grimsby South Humberside DN31 3SG	Fisheries Office 141 Cleethorpes Road Grimsby South Humberside
Fishery Office 1 Queen Street Buckie Banffshire AB5 1QL	Fishery Office 1 Marine Parade Eyemouth TD15 5HR	Fisheries Office 26 London Street Fleetwood Lancashire FY7 6JG
Highlands and Islands Fishermen's Association Ardroch Strathcarron Ross-shire IV54 8XA	Fisheries Office Crown Buildings Peebles Caernarfon Gwynedd LL5 5LP	Fisheries Office Baltic Chambers 2 Waverley Road Lowestoft Suffolk NR32 1BN
Orkney Fisheries Association c/o Development Office School Place Kirkwall Orkney	Fisheries Office Fish Quay Plymouth PL4 0LH	

TECHNICAL ANNEX

At the request of the Secretary of State for Trade and Industry, and as agreed by the Pipelines Inspectorate branch of the Health and Safety Executive, Elf Exploration UK PLC presents the following information about the SEAL gas export pipeline:

Pre-commissioning Testing

The pipeline will be tested to the satisfaction of the Pipelines Inspectorate prior to commissioning.

Design Pressure

The maximum pressure in the line will be less than the pressure for which the pipeline has been designed.

Leak Detection

Pressure and flow will be monitored at all times. In the event of a leak being detected the pipeline pressure will be reduced to control the leak. An aerial and underwater survey will be conducted to find the source of the leak. Routine surveillance will be carried out along the pipeline route.

Emergency Action

In the event a major break occurs in the pipeline the following emergency action will be taken:

- All product delivery into the pipeline will be manually or automatically stopped.
- The Pipelines Inspectorate will be notified immediately.
- An underwater survey and aerial survey will be carried out to determine the location of the break.
- Should pollution result from the discharge of the product the emergency pollution control system held in constant readiness by the UK Offshore Operators Association will be mobilised.

Recommissioning

In the event of a pipeline break, contingency plans to be agreed with the Pipelines Inspectorate will be carried out for the repairing of the pipeline and proving its integrity before putting it back into service.

On Bottom Stability and Safety

The pipeline, if authorised, will be laid in a manner that will ensure its safety and stability under all foreseeable conditions.

Limits of Deviation

The pipeline will be laid within a boundary of 250 metres on either side of the proposed route.

LEGAL NOTICES

RAISING INVESTMENT MANAGEMENT LIMITED
NOTICE OF RESOLUTIONS
The following resolutions were passed at a general meeting of the company held on 10th November 1997 at the offices of the company, 10th Floor, 100 Broad Street, Birmingham B1 2LP.
1. That the company be and it be authorised to allot and issue, and to grant rights to subscribe for, up to 10,000,000 new ordinary shares of 1p each in the company.
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Intel invests in small UK technology firm

BY JASON NISSE

INTEL, the giant US chip maker whose components are a key element of most of the world's personal computers, yesterday revealed an investment in the small British firm that is leading the world in the technology of light-emitting polymers.

Cambridge Display Technology (CDT), which was founded after initial research by the Cavendish Laboratory at Cambridge University, claims to lead the world in the technology, which is designed to allow computer or mobile phones to have high-resolution screens. CDT has licensed the technology to a number of leading manufacturers. The fruits of

this are expected to show early next year with the first products using CDT screens: a mobile phone made by Philips and a prototype video-quality screen for portable computers that is expected to be unveiled in Tokyo in January.

The size of Intel's investment is not being declared, but it is expected to be not less than the £5.6 million invested in CDT earlier this year by a consortium led by Lord Young of Graffham, the former cabinet minister and chairman of Cable & Wireless, and including Genesis, the rock group, and Herman Hauser, founder of Acorn Computers. Lord Young told *The Times*: "The

Intel deal is very exciting and shows that we are making good progress."

Danny Chappell, the chief executive of CDT, said: "Intel processors go into every laptop in the world and this is the first flat screen technology they have chosen to invest in. It would be nice to put 'Intel inside' on our products."

The light-emitting polymer technology was discovered in Cambridge in 1990 and CDT was created with the backing of Cambridge University in 1992. The Intel investment will be used to help fund further research led by Richard Friend, the Cavendish Professor at the University.

Intrum shares higher on bid approach 'by chairman'

BY MARTIN BARROW

SHARES in Intrum Justitia rose 17p to 91p after the company, Europe's largest debt collector, confirmed it had received a bid approach. Although Intrum declined to disclose the identity of the potential bidder, attention has focused on Bo Goranson, the chairman, who has a 34 per cent stake in the company.

Mr Goranson, who brought the Curacao company to the London market is known to have been disappointed by the poor performance of the shares this year. The shares made their debut in London seven years ago at 81p.

In the last full financial year Intrum earned pre-tax profits of £13.12 million on turnover of £104 million. At yesterday's price the company is capitalised at £95.4 million. Intrum has a narrow shareholder base. United News & Media holds 21 per cent and PDM has 15 per cent. Fidelity is also a major shareholder.

Commentary, page 31



Bo Goranson is disappointed by shares progress

Government acts to reassure world markets

Brazil cuts budget by \$18bn

BY GEORGE SIVELL

BRAZIL yesterday sought to reassure world financial markets with an \$18 billion (£10.62 billion) cut in its national budget. The cuts will be achieved by reduced spending and import tax rises.

The move came amid increasing market concern that the Brazilian real is overvalued and that, if put to the test in the way that Far Eastern currencies have since July, it would not be possible to defend its present value. Brazil has high deficits on its national budget and in its current account of trading with other nations. Analysts believe that this adds to

up to an over-valuation of the real of as much as 30 per cent.

The Brazilian Government wants to keep the real high as part of a three-year drive against inflation and has vowed to defend the currency whatever the cost. Before the opening of Brazilian markets, Pedro Malan, the Finance Minister, said: "The Government has decided to implement a rigorous fiscal adjustment plan that goes into effect immediately."

The measures we are announcing involve cuts in expenditures as well as increases in revenue and represent a fiscal gain of 20 billion reais (\$18 billion). The package includes the layoff of federal

workers. It follows an earlier attempt to steady market nerves. On October 30, Brazil more than doubled prime interest rates to 43 per cent after market intervention failed to support the real.

Economists say that the package could throw Brazil into recession in the first three months of next year, but they believe it could be enough to soothe market perceptions of the country.

Other Latin American nations hope the plan works. If Brazil fails to support the real the consequent devaluation would drag South American into a recession on a scale last seen after the 1994 Mexican peso crisis.

Plasmon suffers losses of £8.23m

been rebranded so far, including 15 franchisees, with a further 95 due by the end of March. The corporate redesign extends to check-in counters, lounges, and internal BA documents, including pay-slips.

☐ BA is to ban smoking on all flights from March 29. More than 95 per cent of its flights are already non-smoking. Routes to Japan, Hong Kong, Russia and Pakistan are among those where smoking is

Ransomes cuts deal as Textron offers £137m

Henderson Investors hit by £1m write-off

BY RICHARD MYLES
BANKING CORRESPONDENT

HENDERSON INVESTORS, the fund manager, has written off nearly £1 million in legal and advisory costs after abandoning a secret deal to expand its international operations.

The exceptional costs, almost 10 per cent of Henderson's 1997 interim profits, were disclosed yesterday as the company's accounts for the year ended 31 March. The firm is financing a major corporate initiative with J&W Seligman & Co, its US partner.

Henderson said the initiative, believed to be a new distribution operation, was not possible in the best interests of shareholders "in the light of the effects of the tax changes announced in the UK Budget

Peter Johnson, Henderson's group finance director, declined either the £988,000 write-off or an aborted acquisition. He said the costs were not incurred in mounting a defence against a hostile bid for the company.

"We are bound by confidentiality agreements," he said, adding that the joint venture with Seligman continued. At present, the two companies distribute their retail products in the US through Merrill Lynch, the investment bank.

The provision had the effect of reducing first-half pre-tax profit from £11.2 million to £10.2 million, compared with £10.8 million for the same period in 1996. Operating revenues, however, were up 13 per cent, as funds under management increased 15 per cent to £15.1 billion during the six months to September 30.

On the plus side, Henderson's third-party administration business prospered, as funds more than doubled to £6.5 billion, largely reflecting the addition of more than £3 billion of funds from Aberdeen Asset Management. Eventually, Henderson is to spin off the administration arm into a stand-alone business.

During the past quarter, Henderson merged its institutional and retail fund management businesses.

VFG, the AIM-listed film production company, is to raise £1.75 million through an institutional placing of shares, subject to shareholder approval. The money raised will primarily be used to exercise existing options to buy Camera Associates Assets, the only film camera and grip rental company based at Pinewood Studios, for up to £1.35 million. VFG will also acquire Lighthill, one of the main suppliers of consumables to the British film and television industry, for up to £1 million.

Phone company cuts loss

Nissan speeds up

NISSAN, Japan's second biggest carmaker, lifted profits 46.7 per cent to ¥45.36 billion (£217 million) in the six months to September 30. The company, said that the weaker yen had lifted international sales, helping to offset the adverse impact of a sluggish domestic market. Domestic registrations of Nissan cars fell 10.7 per cent year on year, but exports soared 26.3 per cent. Annual profits are on track to be about ¥100 million, unchanged from the previous year.

Field buys Avery Label

FIELD GROUP, the packaging manufacturer, has acquired Avery Label from Phildrew Ventures and the company's management for an initial \$5.4 million. Field said that further amounts of up to \$2.46 million would be payable, subject to Avery reaching defined profit targets in the nine months to April 4, 1998, and the year ending April 4, 1999. Avery achieved combined pre-tax profits for the year to June 30 of £200,000, before a provision for an overage of £9.2 million.

Sugar merger close

Sugar merger close

ED&F MAN has reached agreement in principle for the merger of Mackay Refined Sugars, its Australian joint venture sugar refining business, with the domestic refining assets of CSR. Substantive agreement has been reached between the parties and due diligence is now being completed, Man said. Final documentation is due to be signed next month and a further announcement will

Sharpe & Eisher grows

SHARPE & FISHER grows

Jobs to flow from Caspian oilfields

BY OUR DIPLOMATIC EDITOR

DEREK FATCHETT, Minister of State at the Foreign Office, flies today to Azerbaijan to attend a ceremony in Baku marking production of the "first oil" from the vast Caspian oilfields being developed by a BP-led consortium.

He said before leaving that the oil contract, one of the largest Azerbaijan has signed with a Western company, will mean thousands of extra jobs for Britain. He said it was secured after extensive government lobbying and was likely to pave the way for substantial British involvement in the former Soviet republic's energy sector.

The Azerbaijan International Operating Company is an

alliance of 11 Western oil companies, led by BP, which signed a \$7.4 billion (£4.3 billion) production sharing agreement for development of the Azeri and Chirag fields and the deep water part of the Gunashi field in September 1994. It includes Ramco, another British company.

Azerbaijan is one of the oldest oil producing areas in the world. Heavy industry is based largely on resources of oil and natural gas in or near the Caspian Sea near Baku. The contract has opened the door for other British companies, and some 70 British companies, many in banking and insurance, have opened offices in Baku.

Former ambassador and ex-minister lead team

Big trade drive

BY MICHAEL BINYON, DIPLOMATIC EDITOR

A CONSERVATIVE former Foreign Office minister and Britain's Ambassador to Riyadh during the Gulf War are to lead the biggest British trade mission to Saudi Arabia for ten years.

Sir Jeremy Hanley, who was Minister of State at the Foreign Office until May, measured up senior businessmen at trading conditions in Saudi Arabia were now unusually favourable.


The kingdom had come out of the recession that followed the Gulf War. Tough budgetary measures meant that it now had a current surplus for the first time since 1982. And Britain

was well placed to take advantage of the Saudis' eagerness to develop emerging industry in their country.

Saudi Arabia is Britain's 12th largest export market, and the second biggest outside the Organisation for Economic Co-operation and Development.

Visible exports are running at about £2 billion a year and account for 23 per cent of total British exports to the Middle East.

Britain and Saudi Arabia are eager to diversify bilateral trade, which has been dominated by the huge al-Yamamah defence contracts. Saudi Arabia's sixth develop-



Hanley: favourable time

The trade mission will leave on Thursday and last ten days. It is assured of a personal welcome by at least three princes from the ruling al-Saud family.

Sir Alan Munro, former ambassador to Riyadh and leader of the mission, said British exports to Saudi Arabia had risen 30 per cent to a total of £2.5 billion in 1996 and estimates for this year show that they will go up again to more than £3 billion.

Saudi Arabia is eager to do business with Britain because of widespread knowledge of English, strong educational and training links, and a perception that the UK still has important political influence in the Middle East.

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Back to basics

AS ROYAL galas go, this was both an unusual and a welcome event. A work portraying the struggles between a tsar and his people seemed a slightly ironic gala choice on the 80th anniversary of the Russian Revolution, but there were strong musical reasons for this visit by the Kirov Opera: no opera as important as *Boris Godunov* had been absent from London for as long as Mussorgsky's masterpiece, and Valery Gergiev had not conducted the work here before.

It was given in the original seven-act version that was rejected by the Maryinsky Theatre in St Petersburg when the composer submitted it in 1869. Now that the present Maryinsky Theatre regime, under Gergiev, has made amends by reviving it, something also done by Opera North eight years ago, we can expect to hear much more of it.

Given as here without an interval, in just two hours and 15 minutes, it packs a dramatic punch, focusing all the action on the tsar who is left alone to confront his adversaries. The score retains its raw power, and Gergiev's pacing was faultless. There was little he could do about the on-stage positioning of his magnificent orchestra and chorus, the latter squeezed into the back

OPERA
Boris Godunov
Theatre Royal,
Drury Lane

left-hand corner and thus not sounding immediate enough. The Russian people had to be represented by just a few members of the cast, but their effective costumes and Alexander Adabashian's simple direction clarified the action.

Best of all was the chance to hear an all-Russian cast, a vivid ensemble from top to bottom. Nikolay Putilin may lack the resonant bass notes of an ideal Boris, but he created a figure who held the stage as the character should. Mikhail Kir sang Pimen with special presence. Konstantin Pluzhnikov made a particularly unsavoury Shuisky, and Viktor Loutsuk disclosed an authentic-sounding, tenor as Grigory. And with the spirited Hostess of Lyubov Sokolova, lively Varlaam of Fyodor Kuznetsov and plaintive Simpleton of Yevgeny Akimov, this is a company worth every penny raised by the Friends of the Kirov Opera through this event.

JOHN ALLISON

CLASSICAL CHOICE

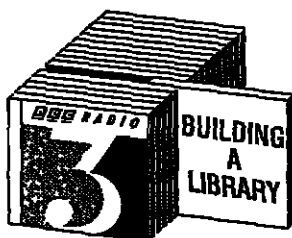
A guide to the best available recordings, presented in conjunction with Radio 3

HANDEL'S DRAMATIC ORATORIOS
reviewed by
Jonathan Keates

Not so long ago the words "Handel oratorio" conjured up dirty visions of overcast amateur choirs, melodramatic contraltos and wobbly string players in the village hall. The wholesale revolution in our attitude to Handel has entailed a thrilling rediscovery of many works lost to audiences since the composer's death in 1759. That means not just the operas but the great dramatic oratorios that represent his most original contribution to 18th-century music.

With more than 60 CD versions available the range of choice is bewildering. I have singled out performances which present the works uncut (including middle sections and repeats in the arias), using an early-instrument sound and respecting Handel's assignment of particular voices to an individual role (no tenors or basses singing parts originally written for soprano or alto).

Christopher Hogwood's *Athalie* (L'Oiseau Lyre 417 126-2) respects all these criteria in honour of a neglected masterpiece, with Dame Joan



Sutherland striking sparks in the title role. Tugged back from even deeper obscurity is *Theodora*. Handel's own favourite among his oratorios, Lorraine Hunt leads the cast as Theodora in Nicholas McGegan's thoughtful account for Harmonia Mundi (HMU 907060/62).

Handel enthusiasts will have been delighted by the ongoing complete oratorio series from Hyperion, with all-star casts including that greatest of modern Handel stylists, James Bowman. Their *Joshua* (66461/2) shows us exactly why Mozart, Haydn and Beethoven placed Handel next to God. So too do Trevor Pinnock's *Archibald* (431 793-2) and John Eliot Gardiner's *Saul on Philips* (426 265-2, £44.99), consistently imaginative and colourful readings which respect the music's theatricality.

● To order the recommended recording, with free delivery, please send a cheque payable to The Times Music Shop to FREEPOST, SC0681, Forres, IV36 0BR or phone 0345 023 498; e-mail: music@the-times.co.uk
● Next Saturday on Radio 3: Mussorgsky's *Boris Godunov*



Great from any angle, Danilo Perez is in London from tonight. "When people talk about Latin music, they mean Cuba," he says. "I want to expose them to other parts of South America."

Who said Latin is dead?

The pianist Danilo Perez has brought Panamanian sunshine into the often grey world of contemporary jazz. Clive Davis reports

Jelly Roll Morton, the old rascal from New Orleans who claimed to have been the "inventor" of jazz, had no doubt about the importance of Latin syncopation in the music he bequeathed to America. All players, the great man declared with characteristic forthrightness, needed a hint of "Spanish rhythms. If you can't put tinges of Spanish in your tunes, you will never be able to get the right seasoning, as I call it, for jazz."

Just as Morton draped many of his tunes in the sensual pulse of the *habanera*, so Danilo Perez, the effervescent, Panamanian-born pianist, has injected fresh Latin colour into the often worryingly monochrome realm of contemporary jazz. His five-night stint in Soho at the Pizza Express Jazz Club — his first London residency — brings a touch of youthful star quality to this year's Oris London Jazz Festival.

His most recent album, a collection of Thelonious Monk tunes titled *Panamonk*, undoubtedly ranked among the best albums of 1996. It goes without saying, of course, that tributes to Monk — one of the fathers of postwar jazz piano, who died in 1982 — have hardly been in short supply over the past decade or so. Some of us, to be honest, would be more than happy never to hear another neo-bop treatment of his angular themes until well into the next millennium.

But Perez's bold approach to the internal rhythms casts the music in a radical new light. *Four in One* and *Reflections* emerge thoroughly reinvigorated, without any keyboard grandstanding or dilution of their

uniquely astringent, Monk-ish voicings.

For Perez, the record expressed his vision of jazz as music underpinned by swing and rhythm — a lesson that he makes a point of passing on in the improvisation classes that he teaches at the New England Conservatory. "One thing I'm trying to make, my students aware of is that jazz needs to keep an element of dance," he says. "If you lose that, you lose people. I even teach them dance steps. The point I want to make is that you've got to play with your body."

It seems only appropriate that, early on, he should have found a niche in the big band of Dizzy Gillespie, whose early experiments in Afro-Cuban jazz (which he expressed

in compositions such as *Manteca*) tend to be overshadowed by his role as a bebop pioneer.

Perez went on the road with the trumpeter's United Nation Orchestra after working with the Cuban virtuoso Paquito D'Rivera. He later played a part in Wynton Marsalis's band — it was an excellent opportunity, he recalls, to immerse himself in the traditions of New Orleans-style syncopation.

He made two albums under his own name before signing to the Impulse label and recording *Panamonk*. The second of those discs, *The Journey*, took the form of a suite exploring the cultural and social intricacies of the Afro-Latin melting pot. If Perez's ambition sometimes

exceeded his reach on that occasion, it was still a highly promising session from the young man.

And a subject, too, that he hopes to revisit in the future. Although he now spends little of his time in Panama, one of his principal ambitions is to make an album drawing on the mixed Catholic-African religious heritage of his native land.

"I find it a little frustrating sometimes," he says, "that when people talk about Latin music, they really always have Cuba in mind. Much as I like it, that's only one dimension. I really want to expose them to all the other forms that come from other parts of South America."

Mister Jelly Roll would surely have approved of his ambitions.

● Danilo Perez is at the Pizza Express Jazz Club, Dean St, London W1 (0171-439 8722) from today to Sat. The Oris London Jazz Festival continues until Sat. Programme details: 0171-405 5974

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THE TIMES

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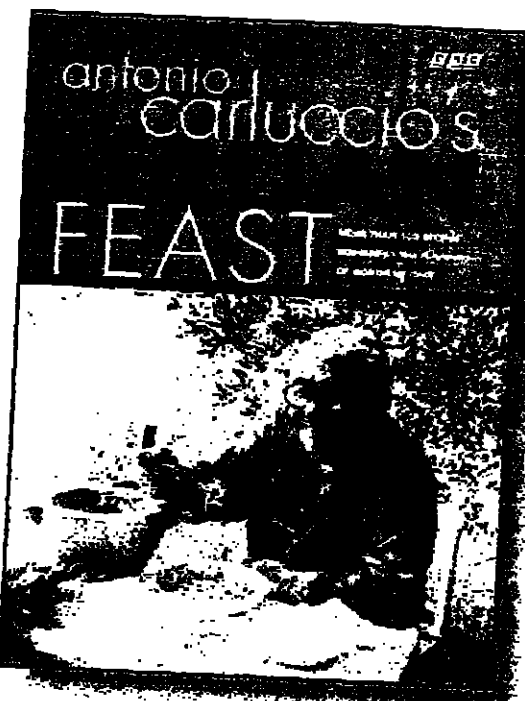
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CHANGING TIMES



CONCERTS: Underpar performance from a tardy diva; two great choirs sublime in tandem

Badly served, those who sit and wait

A top price of, say, £150 for three hours of opera at Covent Garden is soundly denounced as elitist. It represents better value, however, than a top price of £55 for no more than 50 minutes of music in a celebrity concert in the Bridgewater Hall.

Jessye Norman and Mark Markham's recital of songs by Brahms, Schubert and Strauss actually lasted a full two hours, but that included not only the legitimate delays and pauses but also the 15 minutes the two performers kept the audience waiting at the beginning and the ten minutes similarly deployed after the interval.

These were dangerous tactics. If, after making her long-awaited regal entry, the soprano had sung like an angel, even for half a concert, she would have been readily forgiven. But she did not. The great voice is evidently wearing thin in places and has lost more than a little of its splendour.

The result of a natural process to which all singers are vulnerable, that would have been understandable and acceptable enough if the artistry were consistently still there. It is beyond understanding, however, that a musician of her experience and intelligence should consider it desirable in so many cases to distort and discolour the vocal line by a grotesque over-application of expressive emphasis.

It is true that an ordinary singer might have problems in defining detail in a large hall. But Jessye Norman is not one of those. Her interpretation of Schubert's *Der Tod und das Mädchen* was lack-



ing in neither intimacy nor beauty. But she went on from there to an *Erlkönig* that sounded like a parody of the worst excesses in Lieder singing, as though she were a whole trio of voices (baritone included) and provoking more amusement than pathos.

She did much that was attractively idiomatic in

There were enough indica-

tions in the recital, particularly in the Richard Strauss songs — not least the mercifully unpressurised *Allerseelen* and the apparently spontaneous *Zueignung* encore — to prove that a sensitively shaped line and a poetic piano accompaniment are all that is needed even in a space as large as this. The imposition of vocal and facial gestures that would have seemed exag-

gerated in the amphitheatre at Verona was, on the other hand, alienating.

And how strange it is that a singer who holds the audience in such thrall could not, until near the end, discourage the song-by-song applause which — it was quite clear from her freeze-frame poses — she did not want to receive.

GERALD LARNER

Degrees of perfection



In the event it was sublime. With more than 30 boys, and almost as many men, this was the cathedral choir of one's dreams: perfectly tuned; beautifully blended; the treble line never strained, and soft-grained rather than throaty, yet with the strength to ride the far-from-delicate orchestral textures of Schubert's great Mass in E flat. There were glimpses of the choir's power in the Kyrie and in the protracted fugue conclusions to Gloria and Credo. But it was in those startling, heaven-storming harmonies at the open-

ing of the Sanctus that these singers left the restrained world of Choral Evensong far behind.

Two other factors contributed to this sense of drama. The first was the pungent playing of the Brandenburg Orchestra, which accentuated the colour and contrast of this score. The other was the conducting of the King's College director of music, Stephen Cleobury. In the past he has sometimes seemed too prim and proper for big romantic scores, but here he found fervour aplenty.

Of course, King's chapel, for all its nice roofwork, is something of a glorified bathroom in acoustic terms. The Mass, and a lively account of the Magnificat, D486, did not suffer too much; their effects are broad. But elsewhere in this all-Schubert concert (sponsored by the Cromwell Clinic), the artistry of the soprano Lynda Russell in *Salve Regina*, and of the violinist Elizabeth Wallfisch in the Rondo in A, was all but lost in the echoes.

RICHARD MORRISON

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Matters of life and death arise from two new shows, one rich in gore, the other rich in meaning. Richard Cork reports

Visions that go more than skin deep

Since so many young artists are obsessed with mortality, a new national touring exhibition called *The Quick and the Dead* could hardly be better timed. Probing, macabre and sometimes downright grotesque, this is not a show for the squeamish. But the 172 images selected by Deanna Petherbridge, Professor of Drawing at the Royal College of Art, are still compelling. They prove that the human body has been sliced open and explored for centuries by an astonishing array of fearless artists.

Their incisive findings fill the walls of the Royal College with revelations, and include some of the finest drawings in Western art.

Leonardo, an inveterate observer of dissected corpses, turned his ink and chalk studies into sublime meditations on corporeal existence. One sheet contains two drawings of skulls, both seen in profile. Leonardo's exquisite penmanship enables him to investigate every crevice, and his subtle study of the lower skull shows how delicately it rests on the slender, intricate column of the neck. Although Leonardo was only too aware that dissection could be nauseating, disgust was in his case overcome by a sense of wonder. Even when he delves into the organic complexities of the female reproductive system, his drawing ends up seeing these globular forms in awesome terms.

Isolated on the page, these consummate studies give no hint of the circumstances governing their execution. The truth is, though, that the bodies scrutinised by Renaissance artists often belonged to hanged prisoners or anonymous victims of poverty. Andreas Vesalius, in a gruesome engraving of 1543, shows the skinned and disembowelled victim of a public execution still strung up by the rope that strangled him.

But when artists take us inside

the studious calm of the Anatomy Theatre, we are still likely to recoil. In Jacques de Geyn II's print, made around 1615, Doctor Pieter Pauw is conducting a lesson with the male cadaver. While his hand rummages around the intestines, onlookers peer, frown and gesticulate. In order to underline the finality of the corpse's condition, three skulls sit at the base of the dissecting table. And bad-tempered dogs squat in the foreground, waiting for human morsels.

Plenty of artists alleviate this grimness with mordant humour. Pietro da Cortona shows a comely nude woman smiling as she pulls open her sliced belly to disclose the plumbing within. She seems as blithely unaffected by pain as the man who, in John Browne's lacerating print, performs a dance step while he tears skin and muscle from his shoulder.

We are a long way, here, from any straightforward desire to learn about anatomical reality. Surrealism is prophesied in Cristoforo Martini's fantastical engraving of 1685, where skeletons sit, discuss, meditate and pose on plinths like noble classical statues. The monumental dignity of their surroundings culminates, below them, in a bare stone slab where an assortment of discarded bones is propped up for inspection.

However fanciful they become, though, most of these images remain almost pedantic in their fidelity to the facts of the body. Rigorously delineated details of sinews, arteries and organs abound wherever you look. Alessandro Allori delights in the deftness with which he shows, on a single sheet, three stages in the progressive anatomising of a man's left leg. Having started with all its robust muscle and flesh proudly intact, the hapless limb is then methodically stripped of everything except a thin, vulnerable cluster of bones. Increased anatomical knowledge en-



Dissection scene commemorating lectures by John Banister (1581), attributed to Nicholas Hilliard: the Royal College of Art's latest exhibition is not for the squeamish

abled Giulio Sanuto to depict Apollo's flaying of Marsyas with horrific realism in 1662.

Some artists cheekily use dissection as a disguise for erotic images. One well-built male nude on a bed was included in a publication sternly entitled *Graphical Description of all the Muscles in the Human Body*. But the man reclines on the pillow with a languorous, inviting air, and his genitals are provocatively exposed.

When artists make three-dimensional models, however, seductiveness is hard to sustain. At the end of the 18th century André-Pierre Pinson tries to make his seated wax woman alluring, as she raises one arm in a balletic gesture to balance the other arm's downward thrust. But this graceful, enticing display is undermined by her cut-away torso, where the internal organs are revealed in all their glistening,

undulating rawness. Pinson's skill at manipulating coloured wax makes his dissected section difficult to scrutinise without flinching.

All the same, there are images of extraordinary, paradoxical beauty in this survey. Outstanding among them is the series of black and red chalk drawings made by Jan van Riemsdyck for William Hunter's seminal 1774 textbook *Anatomy of the Human Gravid Uterus*. When Petherbridge first came across them in Glasgow University Library, they sparked the idea for this exhibition. Van Riemsdyck, who deserves to be better known, is especially mesmerising in his study called *Front View of the Womb*. Although an opened, upright book has been placed in front of the dead woman's genitals, her body is otherwise depicted with uncompromising directness. So are the folds of skin parted to expose the womb,

which swells outwards and upwards like a burgeoning, over-ripe fruit. The whole picture could easily have been repulsive, but van Riemsdyck treats his subject with enormous respect and tenderness.

More remarkable still is his study of a *Fetus in Profile*, made in 1754 for William Smellie's *A Set of Anatomical Tables, with Explanations*. The drawing must have been made from a dead child, who looks fully formed and ready for birth. But there is nothing unduly distressing about this serene image. Lying upside-down and hunched inside the womb's serpentine contours, the cramped foetus nevertheless looks at peace. Van Riemsdyck's virtuosic ability to simulate the textures of skin, bone and flesh is astounding, and yet always rigorously deployed. The opposite of flashy, it honours the origins of human life with an

appropriate feeling of tenderness. The most moving and impressive works on view all arise from a similar motive. George Stubbs's justly renowned drawings for the *Anatomy of the Horse* are precise, meditative and gravely admiring of the animal he scrutinises with such care. A passion for anatomy runs through everything produced by Stubbs, who carried out his first dissection when he was only eight years old. Impervious to the stench of the carcass cut up for his later horse studies, he pursued an admirably perceptive investigation. But the knowledge Stubbs gained never prevented him from appreciating the animal's essential qualities. The pencil drawings still convey his ardent response to the tensile strength of the horse's legs, arrested in graceful movement.

That is why the exhibition as a totality is far from depressing. Although anatomical images can be gruelling and reek of extinction, they are at their best unexpectedly life-affirming. Marc Quinn, one of the contemporary artists who highlight the show's pertinence today, displays a flayed figure streaming with black rubber. He might be disintegrating; but he could equally well be struggling towards a state of regeneration. In this respect, Quinn shares the preoccupations explored in the 16th century by Giorgio Ghisi, whose *Visitation of Ezekiel* shows skeletons rising from their tombs and regaining their earlier form. Ecstatic winged cherubs soar above the graveyard, reveling in the realisation that brittle bones can undergo a miraculous rebirth.

● *The Quick and the Dead*, organised by the Hayward Gallery, is at the RCA (0171-590 4444) until Nov 24

Envoys face up to mortality

Nobody could appear more poised than the two figures who preside over the National Gallery's new exhibition. They occupy their space in Holbein's masterful painting with the authority of young and successful Renaissance men. Jean de Dinteville, French Ambassador to England in 1533, is by far the more lavishly attired of the pair. But neither he nor his friend Georges de Selve, Bishop of Lavaur, could be accused of shyness. They are on public display, life-size and full faced, in an elaborate picture stacked with evidence of their intellectual accomplishments.

No wonder *The Ambassadors* has now been made the centrepiece of a special show. Its richness of meaning matches the splendour of the textures Holbein simulates with such beguiling skill. Ranged on the furniture between them is a complex still life, testifying to the encyclopaedic breadth of their interests. Musical instruments lie beside astronomical devices. The arts and sciences cohabit here with an ease almost unimaginable today.

So do sacred and secular concerns. On the lower shelf, an open book clearly exposes a hymn by Martin Luther. But a nearby globe symbolises the Renaissance appetite for exploration of Earth rather than Heaven. And Jean de Dinteville ensured that his worldly assets are proclaimed on the globe's surface, where the Frenchman's ample estate, Polisy in Champagne, is identified with lordly prominence.

Although the resplendent painting is primarily a celebration of friendship, it also reflects the fact that Dinteville was responsible for commissioning this unusually large image. He brazenly affixes his surmounting, hawk-lined gown to reveal a pink satin doublet, heavy medallion and embossed weaponry. The patrician stance he adopts is almost as domineering as Henry VIII's pose in Holbein's drawing on the next wall.

The Bishop, as befits his calling, is more discreet than his peacock companion. But he looks formidably assured, and groomed with fastidious precision. Holbein's meticulous brushstrokes pick out every hair in his elegant moustache and close-cut beard, as well as disclosing how the rosinette tendrils travel down his neck and even grow through the opening in his pristine linen collar.

Who, then, took the astonishing decision to make a grotesquely distorted skull float before all this magnificence? Seen from the front, with the corrective aid of a cylinder, the monumental death's head is scarcely identifiable. But its gravity-flouting presence challenges the verisimilitude behind; and viewed from the right side the skull shrinks to a rational shape.

The National Gallery has obligingly provided us with a platform where we can look at the skull from the correct position. It is an amusing optical game to play, but should not tempt anyone to underestimate the significance of this chilling intrusion. Omnisciently suspended in space, the memento mori mocks the ambassadors' grandeur, and reminds them that the grave is, finally, inescapable.



Hans Holbein's *The Ambassadors*, now the focus of a National Gallery exhibition

of this chilling intrusion. Omnisciently suspended in space, the memento mori mocks the ambassadors' grandeur, and reminds them that the grave is, finally, inescapable.

Since Georges de Selve was a man of the Church, he may have encouraged his friend to include the skull. After all, a silver crucifix can also be detected, half-concealed by a lustrous green curtain. The suffering body cringes with the mood of the death's head and promises redemption as well, suggesting that the Bishop would not have been happy with a painting that extolled earthly status alone.

Elsewhere in this illuminating survey, though, we find reminders of Holbein's own preoccupation with mortality. His *Dance of Death* woodcuts culminate in an especially harsh image where a married

couple find themselves separated by a shield bearing an hour-glass and skull. Here, around 1525, is a clear precedent for the death's head threatening the ambassadors eight years later.

Like many artists of the period, Holbein was accustomed to incorporating overt references to death in his work. One of the finest images here is Lucas van Leyden's drawing of Saint Jerome, staring sorrowfully at a crucifix while he fingers a crack running through the skull in front of him.

All the same, Dinteville may well have been primarily responsible for including the death's head in Holbein's painting. A candid letter writer, he confessed in the year when the portrait was executed that "I am the most melancholy, weary and wearisome

ambassador that ever was seen". Those words prompt us to look again at his handsome face, and detect more than a hint of sadness beneath his seeming serenity.

Holbein expended all his virtuosity on *The Ambassadors*, and the recent exemplary cleaning enables us to marvel far more readily than before at his painterly aplomb. Because Holbein was a consummate draughtsman, he is often regarded primarily as a master of the defining contour. But by 1533, his command of brush and colour had become equally awesome. In *The Ambassadors* the stuff of life is lauded with heady, illusionistic conviction; and it makes the threat of death all the more troubling.

● *Holbein's Ambassadors* is at the National Gallery (0171-839 3311) until Feb 1

AROUND THE GALLERIES

□ SINCE Charles Bartlett is just coming up to 75, it is obviously high time for a retrospective, and what more appropriate place for it than the Bankside Gallery, home of the Royal Watercolour Society? Bartlett is, after all, known primarily as a watercolourist, and has done his five-year stint as president of the RWS. However, Bartlett is no dyed-in-the-wool traditionalist, but very clearly a modern artist who just happens to work in a medium which has a long, strong tradition behind it.

Most of his watercolours, like his oils and his prints, are landscape-based. But when he finally arrived at the Royal College of Art after his war service he found himself a contemporary of Alan Reynolds and Edward Middleditch, and one can see clear parallels in his work with their ways of formalising and then virtually abstracting the scene before them.

Some of Bartlett's etchings are almost completely abstract, though the link with representation is never completely broken. The watercolours seldom go that far, but their landscape is regularly deconstructed and put together again in a pattern which owes more to the artist's emotions and his constructive instinct than to the facts. The spirit of the place is unmistakably there, but conveyed with the poet's rather than the topographer's insight. *Bankside Gallery*, 45 Hopton Street, SE1 (0171-928 7521), Tues-Fri 10am-5pm (Tues to 8pm), Sat-Sun 1-5pm, tomorrow until Nov 30. Admission £3.50, concs £2

□ IF YOU were looking for a demonstration of watercolour's versatility, you could hardly do better than to go directly from Bartlett to David Remfry. For the past 20 years Remfry has been conducting a long-distance love affair with New York. Early in 1995 he decided to go and live there for an extended period, and his new show at the Mercury Gallery is the first to bring us the artistic results of his move. Oddly — for who thinks of New York and watercolour in the same breath? — all the works on show are large

watercolours and drawings. Even odder, the first thought that strikes you is not Nineties New York but Twenties Berlin. Almost all the pictures are of couples or individuals dancing in what one presumes to be dancehalls — the figures are presented almost without background.

Partly because of a coincidence in the dress modes, partly because of a similar taste for picturesque lowlife, the watercolours of Georg Grosz come irresistibly to mind. But Remfry lacks altogether Grosz's mordant distaste: he loves what he is depicting, and draws and paints it with exuberance. *Mercury Gallery*, 26 Cork Street, W1 (0171-287 9809), Mon-Fri 10am-5.30pm, Sat 10am-12.30pm, until Nov 22

□ PERHAPS watercolour is conducive to eccentricity. An earlier British artist who used the medium very much in his own way for his own ends was David Jones, a small but

choice show of whose works on paper is at Wolsley Fine Arts from tomorrow.

Both in his writing and in his visual art Jones tended to act as though he were totally unaware of anyone else working in the same forms, so that one constantly has the impression that everything in his art is invented *ab initio*. His watercolours are really lightly tinted drawings, eschewing washes almost completely. The First World War drawings, mostly done much later as illustrations for his prose-poem *In Parenthesis*, are quite straightforward, but the Arthurian drawings are as intricate and overlaid as his later writings. Jones is either a great genius or a fascinating oddity; each spectator will have to decide which. *Wolsley Fine Arts*, 12 Needham Road, W11 (0171-792 2788), Tues-Fri 11am-6pm, Sat 11am-5pm, until Dec 13

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A plum role at the National Theatre is depriving TV of Patrick Malahide. Daniel Rosenthal reports

MARTIN BEDDALL

As to why Hollywood repeatedly casts British and Irish actors in small parts as cops, Feds or CIA spooks (Brian Cox in *Chain Reaction* and The Glimmer Man, Colin Meaney in *Con Air*), Malahide volunteers a simple explanation. "We're cheaper. If they hire me they're getting an actor with 30-odd years' experience who will do a good job without complaining about the length of his trailer or demanding megabucks. A class act at a reasonable price — not a bad epitaph, is it?"

● *Mutability preview at the Cortesio Theatre, SE1 (071- 928 2552) from Friday.*

**BENEDICT
NIGHTINGALE**

he by his own bloodthirsty
fustian that his brother
Gloucester grabs at him, as if
to pull him back to humanity.
But then, as any amateur
historian knows, things get
difficult. Disease and exhaus-
tion take their toll. An example
has to be made of Hal's old
friend, the thief Bardolph. By
the time of Agincourt itself all
Henry's macho rhetoric has
gone, and a sense of responsi-
bility and camaraderie has
taken its place.

Shakespeare does not make this
transition over-obviously, or
try to turn Henry into a case-

The period is 20th century, at first almost didactically so. Michael Sheen's Henry and his men sit in some briefing room, itself weirdly surrounded by slabs of Washington's Vietnam Memorial, watching old films of mud and blood at the Somme. But don't be put off. Daniels's point is that, though people may realise in abstract that war was must not be undertaken lightly, they can only comprehend its reality by getting out of the classroom and into the mud.

Flence Sheen's unimpeachable playing of the Hardtuff episode, eyes gleaming, words soaring, he shows us the exhilaration of power and conquest. So carried away is

him because the audience were too busy looking at his wife's tall dress.

The fascinating roots of Tipton's story, however, reach a lot of dead ends. We have no idea why June married Johnny, what kind of sex they had (surely a prime dramatic consideration), and only a titillating half-suggestion that Chester fathered Johnny's children. The problem ultimately is that Kretzler exposes the lies they lived but none of the truths. Despite this, there is enough genuine heart and skill on show, notably from Sadov's Johnny, to whisk us through 90 minutes.

**JAMES
CHRISTOPHER**

piano player. Chester Kent. All city smiles and Byrlycrem. Johnny works: the audience like a fairground showman, spinning into *Everybody Loves My Baby* in a believably low, tin-clad tenor, and beaming in awe at the wife he sweet-talked across a café table. Kim Criswell's "June Wedding" asahays from torch song to torch song like a volitional toffishship, her velvet voice as soft and ample as her bosom.

Between jazz standards, the three pros deliver a smattering of the best of the best of the best. The dialogue has the damp stinging of a Chandler movie. "I sat on a whole lotta laps before I was 18," says John, subsiding into a pool of whisky. There is little pride in the sacrifices for this art. For

wives, Tipton was an archetypal Fifties jazzman who played the circuit for 40-odd years and wore a lot of surgical bandages in bed.

The story, as briefly chronicled in *Time* magazine, is the inspiration for Carson Kreitzer's intriguing cabaret-drama, which makes a bold leap from the fringe to the West End. Her piece couldn't have landed in a more appropriate venue. It needs only a few colored lightbulbs and a tight jazz band to turn the Whitehall into an intimate, darkroom nightclub.

Here, Len Sadovsky's fast-talking, finger-jabbing Johnny Christmas comes back from the grave wearing pinstripe suit and saxophone to remind

[illegible]

THE GAMBLER (15): Intriguing tale about Doc's early writing in novel. The Gambler, with Michael Gambon and John Goodman. **PG-13** (1998)
Carson's Worst Date (17): 38-39 (1992)
Odessa Street (18): 18-21 (1992)
THE GAMBLER (19): 18-21 (1992)

MAXIMUM RISK (16): Jean-Claude Van Damme steps into his twin brother's shoes and finds trouble. Startling action from Hong Kong director Ringo Lam. With Natalie Portman. **PG-13** (1996)
Virgin Travelers (20): (1918-1970 0015)

MY MOTHER'S COUSIN (12): A Hungarian mother has a brush with the law when her son is accused. Based on a play by Sigmund Freud. **PG-13** (1996)
Wildfire (21): Director: Michael Verhoeven
Odessa Street (21): 18-21 (1992 0031)

UP ON THE ROOF (11): Ups, downs and yawns of a student singing group. Three Incredible Baby Choir, with Amy Redburn, Britney Grant, and Clara Cuthbert. **PG-13** (1996)
Carson's Worst Date, Simon Moon, Pines (22): (1990 889909)

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LAW

● HERE COMES EURO 45
● SAFETY FIRST 45

Victoria McKee argues that the Woodward trial was also a battle of cultures



The home-grown prosecution team, which included the straight-talking Assistant District Attorney Gerard Leone, proved culturally crucial

Guilty of being British?

Judge Miller Zobel might not have needed to play Solomon had Louise Woodward broken down in tears on the witness stand over Matthew Eappen's death. Unfortunately for her, the only time she showed raw emotion was when she collapsed as the guilty verdict came in. If she had shown half the hysteria of some of her supporters, perhaps the verdict would have been different. The cultural clashes in the case have been fascinating as the legal one. The defendant was English in the Massachusetts court of Middlesex, where the first shot was fired in the American Revolution. She had entrusted much of her defence to a "whiz-kid" New York lawyer with a reputation for wizardry on scientific evidence, and for having helped O.J. Simpson to "walk". "People were saying, 'She must be guilty because she hired Scheck'," said Julie Campbell, head of a legal consultancy in Boston. That Barry Scheck was telegraphic carried no weight with a Massachusetts jury who preferred the straight-talking Assistant District Attorney Gerard Leone, whose annual salary would scarcely keep Mr Scheck in suits for a year.

Mary Spillane, educated at Harvard Business School and head of CMB Image Consultants, has coached witnesses for trials. She said: "Woodward's cool, controlled testimony in the witness box — which British juries might have admired — would have been seen as cold, calculating and emotionless. Americans would have responded better to a teary teenager. The fact that Louise looked bland and dumpy and sad should have

helped: it was the cold body language and smiles and laughter at the wrong points that were bad."

Her cool, controlled testimony would have been seen as cold, calculating and emotionless

Charles Maclean, a Massachusetts lawyer, said: "I thought for a 19-year-old girl she was perhaps too composed. You have to convey the sadness of the death. But you can't coach someone to be emotional."

Woodward also had two respected local lawyers on her team. Andrew Good and Harvey Silverglade. Jurors also chose to believe local doctors over the elite experts Mr Scheck called. Mr Maclean said: "Local doctors always count for more."

Unions to the rescue

TRADE UNIONS seem likely to plug part of the gap left by the Government's removal of civil legal aid for money disputes. Trade unions won a record £300 million compensation last year for people injured at work. A TUC survey published last week found that the unions helped 150,000 people last year for a range of work-related problems and injuries, including occupational stress, asbestos and asthma. John Mosley, the TUC General Secretary, said the TUC planned to fill the gap from next April in the civil justice system by providing not just members but non-members with access to law firms that act for unions to secure damages. He added: "Legal aid is a non-starter for most working people and their families. Union membership is the only safety net left."

People off work from an injury should seek compensation or medical treatment through a union, rather than relying on the Government, he said. The TUC is devising proposals for a new workplace "legal aid" scheme

to be agreed with insurance companies.

Blind justice

SEVEN magistrates' advisory committees, the bodies that

Law gets in the picture

THE DAYS of solicitors and clients traipsing around to consult counsel at their chambers are ending. Video-conferencing is gaining ground: the latest chambers to set up a link is that of Anthony Arlidge, QC, which has just moved from King's Bench Walk to 18 Red Lion Court. Video Conferencing for Lawyers, a company run by Michael Kaye, a North London solicitor and technology entrepreneur, set up a live video



Arlidge, QC, move

link between the chambers, which was holding a reception, and Sir Frederick Lawton, a retired Court of Appeal judge and one of the set's founders, who now lives in Yorkshire and could not make the journey to be there.

appoint magistrates, are seeking suitable blind candidates for appointments to the bench. The move has been welcomed by the Royal National Institute for the Blind and the Lord Chancellor, who announced in July that he wanted to appoint blind people as JPs. Those appointed will be part of a pilot project over the next six months.

Over to Straw

WHO SAID Jack Straw and Lord Irvine of Lairg were not on friendly terms? The Lord Chancellor said last week that he got on with the Home Secretary "well and proper" and that they regularly lunched "without officials". It was, he added, Straw's turn to buy lunch.

Details of The Times Law Awards 1997, with One Essex Court, on Privacy and the Press: is law the answer? will be published again next week. They are also available via 0171-583 2000 or The Times Website at: <http://www.the-times.co.uk>

SCRIVENOR

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American way to win injury claims

The American personal injury claim system is often derided in Britain. But are we right to sneer? I suggest that it is time for us to stop looking down our noses and to start adopting some features of the American system, such as jury trials and punitive damages.

There is strong evidence that corporate Britain is likely to be injuring and killing — through environmental pollution and through its products — many people, but there will always be weaknesses in the ability of the regulators to control this. For example, when my firm was pursuing the Sellafield childhood leukaemia claims I was surprised to find that we were the only outside body to have gone through internal British Nuclear Fuels documents relating to the radioactive discharges from the plant. The Nuclear Inspectorate and National Radiological Protection Board never saw this as their job.

The problem for injury lawyers, such as myself, when we take on cases to try to bring these companies to book, is that genetic science is still in its infancy in terms of being able to show that particular substances cause particular illnesses. With the burden being on the plaintiff to prove the case, corporate Britain walks away extremely lightly in court.

If we are to have a system devoted to the protection of individuals, it is vital that it be a dynamic personal injury system that brings the companies causing damage to heel, and puts more cards into the hands of the plaintiff. Having a personal injury system that protects the health of human beings should be seen as a fundamental right, not just a safety net when all else fails.

In the US there has been an explosion of mass tort claims over the past 15 years, with hundreds of thousands of people suing, often successfully, in relation to Agent Orange, Dalkon Shield, Bjork-Shiley heart valves, the drugs DES and Bendectin, asbestos, breast implants and tobacco. Some of these claims have massively hit the American corporate world, sometimes for many millions, even billions, of dollars. Nothing has been seen in the UK that remotely matches the scale and impact of those claims.

In Britain there have been a number of disasters and other group claims, but in no case have the defendants paid out more than a few millions of pounds, a tiny fraction of the US settlements. The personal injury system in the UK is no more than an irritant to British companies in the US. It can bring a company to its knees.

In America it is jurors, rather than the British judge, who determine personal injury claims. There is no question but that the level

of proof, albeit on the same "balance of probabilities" in the two systems, is much lower before a jury than before a judge. It is my view that a judge in the UK, faced with a ground-breaking decision and a reputation to protect, will tend to be more conservative than a jury, which is far more likely to give the plaintiff the benefit of the doubt and will probably be looking for a far lower level of proof.

As well as giving more favourable decisions for the plaintiff and generally awarding more substantial damages than is the case here, these members of the American public are also able to award punitive damages against companies when it is thought that they have acted in a way that demands society's punishment.

The money made by US lawyers is often used as an argument against the American system. Though I am certainly not advocating the extremes of this system, it does have some benefits. UK lawyers, not enjoying anything like the same rewards, are more inclined to take the safe option — not to take risks and not to put the pro bono time into developing new areas of work.

A good example of all this is the tobacco cases. In reading through the papers that have emerged from the industry over the past three years, what is crystal clear is that the greatest fear of the industry was being taken on not by the regulators in the US and UK, but by the US lawyers. The industry was successful in its strategy, defeating 400 individual claims, until it was taken on by the big guns of the plaintiffs' Bar, with all the many hundreds of millions of dollars at their disposal, primarily emanating from their successful asbestos claims. Recognising that its bluff had been called, the industry agreed to pay out \$368 billion, a mind-boggling sum.

I do not want to suggest that nothing is yet happening in Britain, and indeed tobacco is a good instance where we have decided to take the bull by the horns, but most of the claims are one-off actions, which are likely to have little overall impact on the defendant companies.

It is quite clear that the British personal injury system has moved towards the American way, but it still has an enormous distance to travel before our system goes about protecting the rights of the British citizen with the vigour of the Americans. Despite all its faults, the American system has a lot from which we could learn.

The author, senior partner of Leigh Day & Co, is acting for plaintiffs in the first tobacco-related claims in Britain.



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Safety must always come first

Stephanie Trotter on the drawbacks of a new corporate killing offence

From Aberfan up to the Southall train crash in September, more than 1,000 victims have perished in tragedies for which companies could have been held liable. In addition, the TUC has announced a 20 per cent increase in deaths in the workplace.

Tomorrow the Health and Safety Executive will release its latest figures. Yet the law seems powerless to punish large companies.

The problem with the law of corporate manslaughter is the need to identify the controlling mind. The controlling officer will usually be a director. The only successful prosecution of a corporation for manslaughter by gross negligence was that of OLL Ltd. In that case, four teenagers on an activity holiday drowned while canoeing in Lyme Bay, Dorset.

The company was a one-man band whose "directing mind" was plainly that of its managing director, Peter Kite, who was sentenced to imprisonment. Contrast this with a large company, where the "safety officer" is often too lowly even to raise concerns with the directors.

Under the proposed new offence of corporate manslaughter, company directors would be severely dealt with and, if convicted, fined personally or jailed. There was a consensus that the Law Commission proposals are likely to become law.

The Law Commission was asked to review involuntary manslaughter as a whole. The new proposed offence of corporate killing has the advantage of being easier to prove, as it rests upon a management failure. But it has drawbacks. The punishment is an unlimited fine on the company (paid into government funds and, as a company expense, paid by the shareholders). The court will also have the power to impose a "remedial order".



Rescue services search Lyme Bay for the four teenagers who drowned after their canoes capsized during an activity holiday in Dorset

(restricted to, for example, the machine that caused the death, not a safety audit of the whole system). Unlike corporate manslaughter, corporate killing does not cover deaths abroad (except in restricted circumstances, such as oil platforms in the North Sea).

The new offence of corporate killing will mean that companies may face huge fines and a restricted remedial order can be made. But will this be enough to satisfy public concern? And will the new law encourage improved safety systems?

What is needed is a measure to make those with the day-to-day control more personally responsible and accountable. Obviously it is the directors who have the real control, but it is their duty to maximise profit for the shareholders. Effective safety systems are expensive and the risk of prosecution may seem worth taking, particularly by less scrupulous companies and directors.

One positive proposal would be to amend company law, making it compulsory for a director to be appointed as "safety director". There are those who maintain that it would not be possible to find someone willing to be safety director. I disagree, but there should be safeguards. Where other directors unreasonably refuse

the safety director's suggestions, it should be possible to prosecute the other directors and the company for manslaughter by gross negligence, not the safety director.

The objection is that there would be an outcry if directors of large companies were sent to prison for the deaths of customers or employees. But nobody objects to directors being sent to prison for financial offences. If company law made directors more personally responsible, so that the controlling mind could be easily identified, would it be so necessary to change the criminal law of corporate manslaughter after all?

● The author is a barrister and executive member of Consumer Safety International, a registered charity committed to reducing holiday deaths and injuries. She is also president of CO-Gas Safety, a registered charity committed to reducing deaths and injury from accidental carbon monoxide (CO) poisoning.

the application of the law, because it will still remain easier to secure individual convictions against directors of small businesses. It is my belief that we could end up with a situation in which directors of smaller companies will face graver personal punishment than the bosses of big businesses.

Establish individual liability removed and the likelihood of successful convictions against big businesses increased, companies face the stigma of being branded corporate killers if acts of negligence for which they are held collectively responsible lead to the deaths of employees, customers, contractors or members of the public.

But although they will suffer from the imposition of heavy fines and damage to reputation, you cannot put a company in jail and this in turn leads to an imbalance

in the application of the law, because it will still remain easier to secure individual convictions against directors of small businesses. It is my belief that we could end up with a situation in which directors of smaller companies will face graver personal punishment than the bosses of big businesses.

● The author is a partner with Nabarro Nathanson

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GARETH WATKINS
● The author is a partner with Nabarro Nathanson

Edward Fennell on EMU's effect

Make way for the euro

Are we heading for a millennium melt-down? Some lawyers are fearful that the double whammy of the euro's arrival and computing's year zero will wreck their clients' internal administration. Time is running out for many organisations to put in place the legal agreements necessary to tide them through a turbulent period.

The problem is complexity. Kathryn Shimmmin, a partner with the South Coast firm Blake Lapthorn, admits that there are few inquiries from businesses about preparing for the euro.

"They take the view that because the UK will not be involved in the first wave, they have nothing to worry about," she said.

However, the use of the euro among the UK's trading partners means that businesses will be affected. Even in the high street, Ms Shimmmin expects to see changes.

"People arriving at Southampton and Portsmouth with euros will expect to be able to use them," she said. "Marks & Spencer is introducing tills to deal with the euro and other retailers will be under pressure to do the same."

Meanwhile, David Halliday of Eversheds is beginning to see curiosity stirring among his clients. As a banking partner based in London, he is fully involved in the development of the euro and thinks that the CBI is doing a good job in briefing business.

"A number of our clients have attended Confederation of British Industry events and are now coming to see us to discuss the legal technicalities. Business will

find itself carried along by commercial pressures and start doing business in euros," he said.

Mr Halliday, pointing to his own firm, admits that like most British industry with overseas clients, it has been hit by the strength of the pound. "I can see myself dealing in euros rather than sterling once the single currency has arrived. I also envisage that customers from the Continent will want to pay in euros when offered a choice of currency."

Lawyers are preparing standard clauses to be inserted into contracts to take account of the euro.

Richard Thomas, a senior consultant with Pinsent Curtis, is helping the firm's American clients to get to grips with what economic and monetary union means for their investments in Western Europe.

"Although there is no indication of a shift in investments out of the UK, if we are not in the first wave, there is no question that American business is starting to take an intense commercial interest in what the developments are likely to entail."

Steven Philippsoph, a specialist in Ford at the niche firm Philippsoph Crawfords Berwald, predicts that the transition period will give criminals a field day.

"Unless proper safeguards are put in place, a fraudster could seek to benefit by exploiting the inevitable teething problems that will be experienced by the introduction and unfamiliarity of the new currency, and by expediting cross-border payments at an earlier opportunity."

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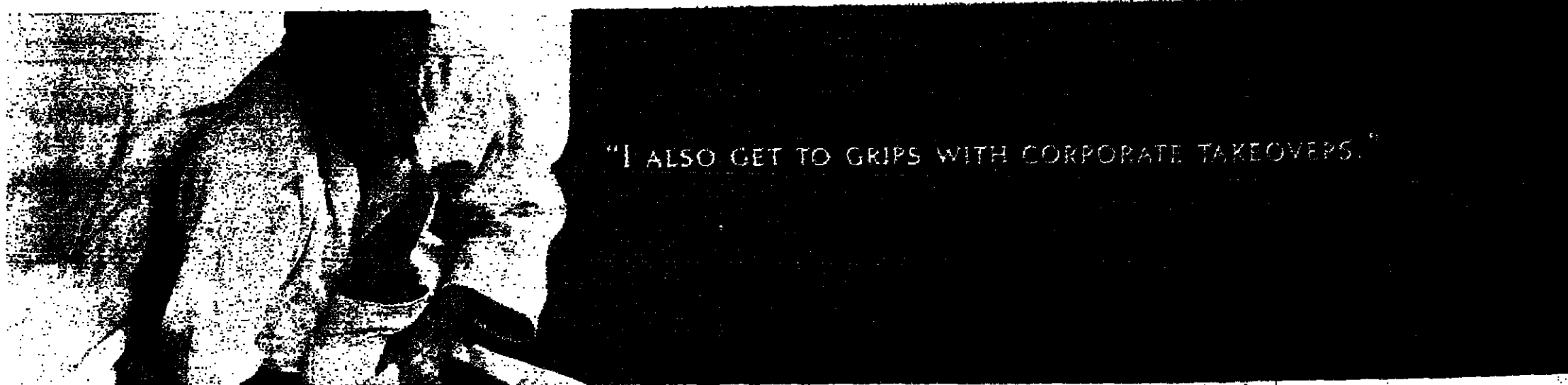
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* The American Lawyer (Mid-level Associates Survey - Oct. 1996)

For further information, please contact our advising consultant Kechi Akalawu on 0171 404 4646 (0956 162 977 during evenings or weekends), or alternatively write to her at Daniels Bates Legal, 17 Red Lion Square, London WC1R 4QH. Fax: 0171 831 7969. E-mail: hmggroup@hmggroup.co.uk

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Jersey is the largest and most southerly of the British Channel Islands. It is a low tax independent jurisdiction with one of the highest standards of living in the western world.

The Role

This is an exciting opportunity for a city practitioner to join a dynamic team in an expanding, progressive department with a strong international corporate and private client base. Reporting to a senior partner, the successful candidate will work within a small team to assist in a wide range of commercial transactions.

The Requirements

- 3-5 years post qualification experience
- Good all-round corporate / commercial law experience, preferably gained in a large city law firm
- Able to demonstrate a high level of expertise in securitisation, debt issues and a knowledge of investment, banking and trust work
- Leadership and entrepreneurial qualities
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- A willingness to qualify as a Jersey Advocate / Solicitor

A highly competitive remuneration package, and prospects for career progression and partnership are excellent. The successful candidate will qualify as an essential employee for Jersey Housing purposes.

Please reply with full details to Rosy Dessain or Ian Thomas, quoting reference MV/181/134 Closing date for applications Monday 24 November

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This firm has one of the largest property practices in the City. This means quality work, but without compromising on client contact. A solicitor with 1-5 years' post is sought for full range of commercial property work including development, institutional and finance. Ref: T38793

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Progressive and entrepreneurial commercial firm with established City team seeks solicitors with 4-7 years' post. The practice is dealing with some of the most exciting work in this sector including telecoms, multimedia and broadcasting. Outstanding opportunity to represent clients at the cutting edge of this field. Ref: T37466

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If you are looking for a firm which is interesting and dynamic and wants its corporate lawyers to enjoy their work then look no further than this medium sized City practice if you have 0-5 years' post. They are constantly being joined by talented lawyers. Ref: T23999

To £55,000

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You are an 18 month to 3 1/2 year qualified property lawyer and you don't necessarily have any finance experience but you are very keen to move your career in this direction and to a firm which will train you and which has an excellent reputation for its property work. You are an excellent negotiator and a team player - there are few options like this around. Ref: T44618

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A shipping firm with a recognised brand name in the market is seeking a solicitor with 1-4 years' post with specific shipping experience to undertake burgeoning day work. With a strong academic background and robust personality this is an opportunity to let your career take off with a leading niche player. Ref: T29193

£52,000

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Excellent opportunity within this specialist but burgeoning area of law. This is a rare opportunity to join an established and lively team within a small, well respected City firm if you have 1-4 years' post and relevant experience. Ref: T36386

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QUARRY DOUGAL

For further information, in complete confidence, please contact Kate Sutcliffe, Adrian Fox or Sarah David (all qualified lawyers) on 0171-405 4062 (0956 549203 or 0171-286 3079 evenings/weekends) or write to them at Quarry Dougal Recruitment, 37-41 Bedford Row, London WC1R 4JH. Confidential fax: 0171-831 6394.

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As part of this continued growth in Europe, the London based Legal Counsel seeks a mainstream company/commercial lawyer from either a private practice or industry background. The work will be broad ranging corporate transactions, focusing on acquisitions but will also include more general commercial work from marketing and employment issues to intellectual property and information technology contracts. In-depth legal knowledge and excellent technical skills are pre-requisite as is a diplomatic but assertive personality, to thrive in a highly commercial but extremely sensitive sector.

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For further information in complete confidence please contact Rebecca Errington (qualified lawyer) on 0171-405 6062 (0181-293 8520 evenings/weekends) or write to her at QD In-House Legal, 37-41 Bedford Row, London WC1R 4EJ. Confidential fax 0171-831 6394. This assignment is being handled on an exclusive basis by QD In-House Legal - all third party applications will be forwarded to QD for consideration.

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Travel within Europe also will be required. The successful candidate can expect a competitive remuneration package.

For further details please contact Aileen Shepherd, Morwenna Lewis or Sonya Rayner or send them a copy of your C.V. Alternatively e-mail: AileenShepherd@chambersrecruitment.co.uk
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For a confidential discussion concerning this appointment telephone either David Jones or Barbara Digby on 0118 946 3030.

Alternatively, write to them with career and remuneration details at Digby Jay Jones, Oil & Gas Search & Selection, The Atrium Court, Apex Plaza, Reading, Berkshire RG1 1AX. Fax: 0118 946 3715.



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Candidate

You must hold an appropriate professional qualification backed by several years' experience in a sizeable public company with a progressive, IT supported, company secretarial function. Familiarity with the corporate administration requirement of an international group would be helpful. You will need to work effectively under pressure and your career to date should demonstrate your ability to innovate, add value, and to establish effective working relationships. You must be computer literate.

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Commercial
City
Our client specialises in business law both in the domestic and international markets. Due to rapid growth they are looking to appoint solicitors at all levels of post qualification experience in the following non-contentious areas: corporate, finance, intellectual property, telecoms, insurance, commercial property, immigration, employment, banking and anti-trust. Contact Samantha Knowles. Ref: 1904

Employment Law
Leeds
The employment law unit of this major practice enjoys a leading reputation in the North East. There are currently vacancies in the team for lawyers 2-3 years qualified who have experience of acting for large commercial clients. Contact Andre Field. Ref: 1574

Commercial Contracts
Birmingham
This is a chance for a 3-5 year qualified commercial lawyer to play a prominent role in developing this major commercial practice's approach to the fields of equipment purchase, trading agreements, equipment leasing and consignment agreements. Contact Andre Field. Ref: 983

US ATTORNEY
If you are US qualified and trained and have around 5 years international or European general commercial experience, then our client which is a leader in the high tech field would like to hear from you. The position is Dublin based and offers excellent prospects for the right candidate. Contact Naveen Tuli. Ref: 114

European Lawyers
Europe Wide
We currently have instructions throughout Europe for lawyers with between 2 and 6 years company and commercial experience gained from a well known firm or other multinational. In particular, we would like to hear from well qualified Italian, German, French and Belgian lawyers. Contact Naveen Tuli. Ref: 3083

INTERNATIONAL ROLES WITH A BLUE-CHIP UK, CENTRAL & SOUTH AMERICA, MIDDLE EAST, RUSSIA / CIS
Our client is a prestigious household name multinational. As part of a reorganisation of the in-house legal function applications are invited from lawyers with between 2 and 7 years high quality corporate experience gained from leading law firms. There are several roles on offer and whilst the UK positions do not require languages, fluency in Spanish or Russian is a distinct advantage for the others. Contact Rachael North. Ref: 3068

Banking Litigation/Compliance
3-8 years
This is an excellent opportunity to join a major international investment bank. The role is largely autonomous and the successful candidate will be expected to supervise litigation, arbitration and regulatory investigations in several jurisdictions. Contact St. John Whittle. Ref: 3080

Emerging Markets/Derivatives
To £200,000
This leading international inter-dealer brokerage firm specialises in emerging market debt, money market instruments and derivatives, and now requires a 5-8 year qualified lawyer to act as UK general counsel. This is a board level appointment and an exciting opportunity to join this rapidly expanding organisation. Contact St. John Whittle. Ref: 3069

UK Lawyers in the USA
4-7 years per US\$145,000
UK derivatives lawyers are sought to join this major international oil and gas corporation in southern USA. This is an excellent opportunity to relocate, enhance your career and improve your quality of life. Contact St. John Whittle. Ref: 3070

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CRC technology IP LAWYER

2-7 Years' pge

As a subsidiary of the Cancer Research Campaign, CRC Technology was established to make possible the transfer of promising advances in research to development, and ultimately delivery to the cancer patient. The company now also provides that service to other charities both in the UK and overseas.

As in-house counsel for this London based company, your main responsibility will be drafting and negotiating agreements relating to the development and licensing of promising research findings, primarily alliances between CRC funded research groups and pharmaceutical/bio-tech companies. You will work closely with project managers internally and also be responsible for liaising with the company's external lawyers and the appropriate officers of the CRC.

As an experienced IP lawyer with between 2-7 years' pge, you will ideally have a scientific background and/or experience in the pharmaceuticals or biotech area. Practical in your approach, you will have the flexibility to fit into this small, close-knit team and with the ability and confidence to act as sole in-house counsel. You can expect excellent and varied work, good remuneration, as well as the knowledge that your day to day work directly assists in the fight against cancer.



For further information in complete confidence please contact Rebecca Errington or Stephen Leary (qualified lawyers) on 0171 405 6462 (0171 537 9375 evenings/weekends) or write to them at QD In-House Legal, 37-41 Bedford Row, London, WC1R 4EJ. Confidential Fax 0171 831 6394. This assignment is being handled on an exclusive basis and all direct and third party applications will be forwarded to QD for consideration.

PRIVATE PRACTICE & IN-HOUSE

US SECURITIES

Top Tier firm with an enviable international client base seeks US qualified lawyers with relevant securities experience at all levels. For an ambitious and energetic lawyer this represents an excellent opportunity to help create a "one stop shop" service for the firm's leading corporate and investment banking clients. (Ref 19500)

WALL STREET RATES

Fast growing Singapore office of leading City firm seeks 2-4 year banking lawyer to join close-knit team involved in big ticket work. Some project finance experience would be ideal, but more important is an enthusiastic approach and interest in the region, as travel will be required. Great opportunity to join a market leader. (Ref 20771)

PROPERTY FINANCE

Usually for a top tier New York firm, our client has been active in providing construction and non-construction lawyers for its London office, and is now looking for assistance in property finance. A number of UK lawyers have already joined the firm, and there is a clear intent to build a genuine, full service multi-national partnership. Exceptional rates of pay. (Ref 20411)

LETOP US

Our client, one of the best known global companies, has several new vacancies for lawyers to be based in the UK, Central/South America, Russia and the Middle East. Urgent: abilities in the chosen destination are necessary but, that aside, all that is needed is a proactive commercial approach and sound company/commercial experience. The range of experience that will be considered varies from newly qualified to junior partner level, depending on position. (Ref 21164)

FINANCE - SINGAPORE

Fast growing Singapore office of leading City firm seeks 2-4 year banking lawyer to join close-knit team involved in big ticket work. Some project finance experience would be ideal, but more important is an enthusiastic approach and interest in the region, as travel will be required. Great opportunity to join a market leader. (Ref 20771)

EXCELLENT

IN-HOUSE UK/ABROAD

Our client, one of the best known global companies, has several new vacancies for lawyers to be based in the UK, Central/South America, Russia and the Middle East. Urgent: abilities in the chosen destination are necessary but, that aside, all that is needed is a proactive commercial approach and sound company/commercial experience. The range of experience that will be considered varies from newly qualified to junior partner level, depending on position. (Ref 21164)

TELECOMS

Top five firm with highly regarded UK and international telecoms practice seeks up to 5 year telecoms lawyer who is keen to capitalise on his/her talent and potential. Flexibility means the group also welcomes technically gifted corporate lawyers looking to specialise in this burgeoning sector. An excellent opportunity to work for one of the leading players. (Ref 21019)

TO £65,000

COMMERCIAL LITIGATION

Consistent to enjoy a first class reputation in litigation, our client is looking for motivated lawyers, ideally between 3-5 years' qualified who possess not only the intelligence required to handle demanding work but who can also display commercial acumen and the ability to mix with clients and colleagues alike. Work will include a mix of general commercial litigation and professional negligence. (Ref 18487)

TO £50,000

IN-HOUSE CO-OP

International commodities and trading company seeks 3 years' plus company/commercial lawyer, preferably with some experience of, or interest in, international trade commodities. Will play a commercial role advising senior management on joint ventures, acquisitions and disposals world-wide, particularly focused on emerging markets. Relaxed work environment in central London with opportunities to travel and grow the legal function. (Ref 16764)

£50,000-£60,000+BENEFITS

IN-HOUSE REG.COM

Fast growing financial services company outside London seeks articulate lawyer with 3-5 years' corporate experience and, ideally, some knowledge of financial services. Wide range of work, with increasing international focus, including M&A, joint ventures, distribution agreements, new products and regulatory issues. Reporting to the Board, this is an exciting opportunity to enjoy high quality work whilst improving your quality of life. (Ref 20772)

TO £50,000+BENEFITS

ENERGY

Top tier firm with superb energy team seeks a 1-4 year energy/corporate lawyer for their fast expanding domestic and international practice. A wide ranging caseload, both upstream and downstream, will attract commercially adept lawyers motivated by high quality work who wish to specialise in the developments at the cutting edge in this dynamic market. (Ref 20757)

TO £50,000

INSOLVENCY

London office of highly successful national firm seeks 3-5 year insolvency lawyers (commercial & non-commercial) to join high profile team with a "can do" approach. If you are flexible and thrive in a busy environment, please apply. Those with banking, finance and recovery experience, wishing to focus on corporate recovery, will also be considered. (Ref 17817)

For further information on these, and the many other vacancies registered with us, please contact Andy Casfield or Andy Golding (both qualified lawyers) on 0171-523 3838 (01483-828110 evenings/weekends). For in-house vacancies please contact Yasmin Phillips on 0171-523 3822 (0171-376 4968 evenings/weekends) or write to us at ZMB, Recruitment Consultants, 37 Sun Street, London EC2M 2PY. Confidential Fax 0171-523 3839. E-mail andy@zmb.co.uk

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UNIQUE OPPORTUNITY TO MANAGE A LEGAL PROJECT IN A COMMERCIAL ENVIRONMENT

This organisation represents a major force within the consumer goods sector, with a portfolio of internationally recognised brands. The specialist team responsible for monitoring and interpreting litigation and legislative developments worldwide, have identified the need for an additional qualified lawyer to take direct responsibility for a critical project. As the completion deadline for this phase of the exercise is 1999, our client wishes to appoint a project manager for a 2 year period. The role will involve considerable liaison with senior international management, external legal advisers and lawyers representing other companies worldwide. Taking management responsibility for a small team of paralegal assistants, as well as managing a sizeable external resource, this individual will drive the project forward to completion. The ideal applicant will be a qualified lawyer with a minimum of 4 years general commercial litigation experience.

A sound understanding of the principles of litigation is a prerequisite, with experience of any large scale, multi-jurisdictional cases being advantageous. Computer literacy is also essential. Applications are also welcomed from individuals considering returning to work having taken a career break. This role will ideally suit a practical, down to earth individual with an approachable style. Building relationships with people across a variety of functions and locations, and demonstrating an empathy for others objectives, is key to the success of this project. The ability to communicate effectively and persuasively coupled with an organised, pragmatic approach to the administrative management of the exercise will be essential. This represents a unique opportunity for a lawyer to contribute to the future development of a commercial organisation - without having to complete a single timesheet! Interested applicants should write, enclosing a full CV, to Fiona Campbell at the address below.

The Peachell Group Ltd, Recruitment Consultants.
125 High Holborn, London WC1V 6QA.
Tel: 0171 404 3155 Fax: 0171 400 0136 Email: fiona.campbell@peachell.co.uk

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Commercial Solicitors

Permanent and short-term contracts

Your core focus in these posts will be to draft and advise on contracts for services, works and supplies, with particular emphasis on the engineering and construction fields. The posts offer a wide potential sphere of involvement - from Private Finance Initiative projects to ticketing agreements - as well as the opportunity to liaise closely with clients in your role as an in-house legal expert.

To be considered for these posts, you must possess a minimum of three years' post-qualification experience of contract drafting gained in a high quality environment which, for at least one post, will have been gained in the engineering/construction field. Experience of NEC and ICE 6th Edition would be particularly useful. The proven ability to draft performance-based service contracts would also be ideal as would experience of working on large projects. Experience of computer contracts would be an advantage. On a personal level, you should be able to combine outstanding communication, organisational and teamworking skills with high levels of initiative and flexibility. Ref: CDV576/E.

Construction Litigation Solicitor

Working as a key member of a small team and working closely with clients and occasionally with external lawyers, you will provide a broad spectrum of advice relating principally to contentious commercial disputes in the engineering and construction fields.

We are looking to appoint a Solicitor with at least two years' post-qualification experience gained in a high quality contentious engineering environment. The ability to explain complex technical information clearly and accurately to people at all levels is critical in this role, as is a high level of tact and discretion. If you can add analytical skills to commercial acumen, and a strategic approach to creative flair, this could be the ideal next step in your career. Ref: CDV577/E.

In return we offer an attractive salary and benefits package.

Applications from suitable candidates who wish to work part-time will be considered for all posts.

To apply, please write to Christine Thomas, Central Human Resources, London Transport, 33 Broadway, London SW1E 0BD, quoting the appropriate reference numbers.

Closing date for applications 28 November 1997.



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About us...

Linklaters is one of the leading international law firms, with a pre-eminent position in the two major international practice areas: project finance and capital markets. We have offices in the world's principal financial centres. Our Projects Group advises on the structuring, development and funding of infrastructure projects and privatisations and is increasingly active in Asia and, in particular, in ASEAN countries.

Linklaters has been established in Asia for more than 20 years. The Singapore office has grown since its establishment in 1992 to more than 30 lawyers, recruited locally and seconded from London. Our success in the region is attributable to our broad experience in international project finance, as well as our policy of being highly responsive to clients' commercial objectives by ensuring we understand their businesses and needs.

A particular strength of our Projects Group is that we treat the development and financing of projects as an integrated discipline - we advise on all aspects of a transaction, from construction and joint venture arrangements through to supply agreements and financing.

We are now seeking to make a key appointment within the Projects Group.

About you...

Based in Singapore, you will act for sponsors, lending banks, governments and financial advisers on a range of transactions within the energy, construction, telecommunications and utilities sectors.

You will already have experience in limited recourse or other structured finance transactions, however, the depth of experience within the Projects Group is such that someone with experience in other international finance fields or construction should feel encouraged to reply.

This appointment offers you the opportunity to become involved in some of the largest and most innovative transactions in the region, working closely with lawyers in our international network of offices.

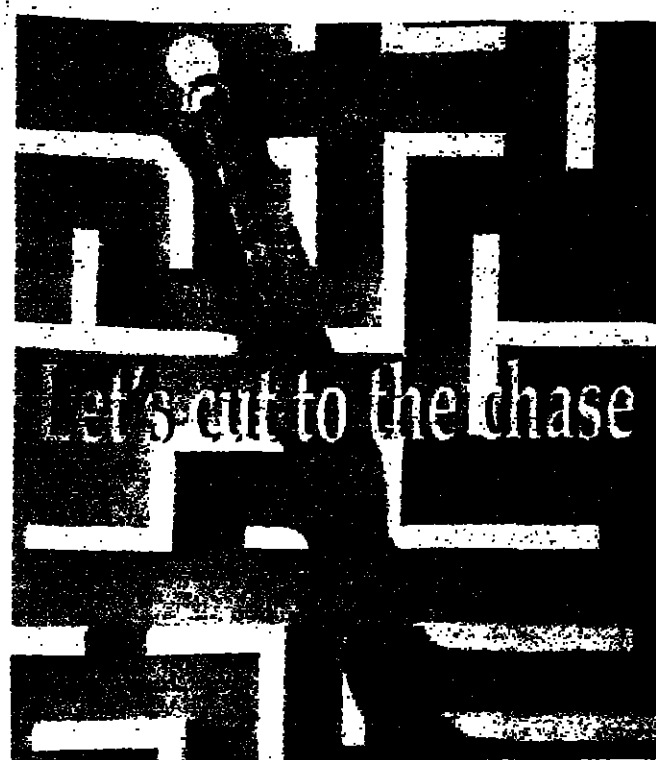
If you are technically capable, an easy communicator and able to fit well into a closely-knit and successful team that works (and plays) hard, please apply.

Our retained consultant, Peter Thompson of Michael Page Legal, will be happy to provide you with more information on our Singapore practice, its personalities and on the remuneration and relocation arrangements. If you would like to meet with Peter in London, please contact him on 0171 288 2238 or send your CV to Michael Page Legal, Page House, 30-41 Parker Street, London, WC2E 8JA, fax 0171 831 8662.

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HOW CAN WE BE SO SURE?

Because we act for the highest calibre clients both nationally and internationally and our work is of a quality to match our competitors in the City. We are committed to providing an innovative and commercial service to our clients.

We place a high priority on training and developing our staff to their full potential. We wish to grow organically by encouraging "home grown" talent - if you join us it is because we see you as a potential partner.

If you would like to find out more then telephone Bob Llewellyn, on 0117-9992000 or write to him at Burges Salmon, Narrow Quay House, Narrow Quay, Bristol BS1 4AH.



Alternatively, contact our recruitment advisers at Quarry Dougal, William Cook in London on 0171-465 6662 or Chris Cayley in Birmingham on 0121-212 9555 (01242 241377 evenings/weekends) or write to Quarry Dougal Recruitment, Cornwell Buildings, 45 Newhall Street, Birmingham B3 3QF. Confidential fax 0121-212 9777.

Commercial Lawyer

The Boots Company PLC is one of the largest and most successful companies in the UK, with a turnover in excess of £4.5 billion, and over 70,000 employees worldwide.

The group includes the well known retailing chains Boots The Chemists, Boots Opticians, Halfords and Do It All, as well as one of Europe's largest contract manufacturing companies, and Boots Healthcare International, selling healthcare products in over 130 countries.

The company is seeking a solicitor or barrister, approximately two years qualified, to join its Group Legal Department. The job holder will be involved in major commercial transactions, usually of high value, such as acquisitions, intellectual property work, and supply, agency and distribution agreements. The work covers all the commercial activities of the group worldwide. There will be daily contact with senior management both within and outside the group, and so you will need to communicate clearly and negotiate persuasively. Willingness to undertake international travel is essential.

The job is based at corporate headquarters in Nottingham. A competitive salary is offered, together with the usual large company benefits, including a company car, and relocation expenses where appropriate.

Please apply in writing to Jane Herring, Head of Personnel, Group Services, The Boots Company PLC, Nottingham NG2 3AA. Telephone: 0115 959 3795.



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BANKING & FINANCE

Front Office Role to £150,000

This leading and innovative securities house has a burgeoning securitisation business which operates in a variety of markets and product sectors.

It seeks two additional members, ideally qualified lawyers to join this dynamic team of professionals in a front office capacity. Ideally candidates should be 4-10 years qualified with experience of either M&A/corporate finance or securitisation/capital markets work. These roles are multidisciplinary and will encompass the origination, structuring and execution of deals. Rewards both professional and financial will be outstanding.

Junior Transactional Role to £40,000

This UK bank headquartered in London is universally acknowledged as being at the vanguard of the derivative products business.

The highly respected legal department wishes to recruit a junior member to the team, preferably at the newly to 1 year qualified level. Naturally some experience of international finance would be advantageous. However, as this particular team has an outstanding reputation for the quality of its training, of prime importance is personality and a genuine desire to work in-house within investment banking. This position represents an ideal first move for a young and ambitious lawyer.

Global Investment House to £55,000

This premier financial services company is one of the world's leading investment and securities firms.

Its fixed income derivatives business is supported by a specialist legal team on the trading floor which deals with structured debt transactions including bond repackagings, OTC and credit derivatives. The ambit is broad, involving structuring proposed transactions, due diligence trips, country reviews and legal/regulatory feasibility studies. The successful candidate (1-3 years' PQE) will have a pivotal role liaising with external counsel, tax and legal functions, regulators, etc.

Chambers Banking & Finance recruit lawyers into banks and other financial institutions. For further information or for career advice, please ring Deborah Kirkman or Stuart Morton on 0171 606 8844. Confidentiality is assured.

CURRENT OPPORTUNITIES

IN-HOUSE

LEASING/ASSET FINANCE - London. International organisation seeks blue chip general finance specialist 8-10 years PQE for big ticket leasing/asset finance role. Excellent academics a must. £Six figure package

FINANCE - South West. International company seeks asset finance/banking lawyer 6-8 years PQE. Ideally with knowledge of consumer credit matters. Career move for disillusioned practice lawyer. £Stunning package

BANKING/INSOLVENCY - Midlands. Dynamic PIC with first class legal department seeks commercial banking/insolvency lawyer 5-7 years PQE to manage niche team. Rare opportunity. Excellent career move. To £50,000 + benefits

IT - London. Superb opening for a contentious/non-contentious IT lawyer 3-7 years PQE to work for US owned high tech company. Opportunity to excel in high profile role. Established legal team. £City + benefits

PRIVATE CLIENT - City. Rare opportunity for 5-10 year qualified private client lawyer to move in-house with blue-chip investment bank. International perspective. Excellent range of work. £Market rate base + banking benefits

CORPORATE/COMMERCIAL - London. Superb opening in well known international corporate for City trained lawyer, 2-5 years qualified. High quality work and the opportunity for a future post outside the UK. £Market rate

PATENT AGENT - Berkshire. Exciting opening for a qualifying or recently qualified agent to work in a highly innovative and international organisation. Excellent career development. £Market rate + benefits

Contact:

Elizabeth Williams or Fiona Spencer

Tel: 0171 415 2828
Fax: 0171 463 0741

PRACTICE

EMPLOYMENT - Medium-sized London firm with leading reputation in the employment field seeks assistant for mixed role. Minimal corporate support and the opportunity to handle plenty of Tribunal work. 1-4 years

EC - Top 5 City firm with an excellent reputation both in London and Brussels seeks ambitious senior assistant. The role will include merger control work, public procurement and contentious matters. 3-6 years

REINSURANCE - Friendly niche practice within medium-sized City firm seeks high flyer for interesting work load with an emphasis on reinsurance. Practice development is actively encouraged. 2-5 years

PROPERTY - Blue chip and very profitable medium-sized City practice seeks additional solicitor from recognised firm to join the highly regarded commercial property team. Superb training and support. 0-4 years

CORPORATE - Interesting and challenging corporate role on offer within the corporate telecomm team of dynamic medium-sized West End practice. Telecoms experience not essential. Broad role includes commercial work. 2-4 years

PROJECTS - One of the leading global projects practices seeks additional finance assistant. Small and personable work environment. Genuine and proven career path. £Premium + Bonus. 2-6 years

CONSTRUCTION - Ambitious non-contentious specialist to advise on a full range of commercial construction matters. Mix of UK and international work including projects. 0-4 years

Contact:

Nick McLoughlin or Gill Jones

TAYLOR • ROOT

INTERNATIONAL LEGAL RECRUITMENT

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HONG KONG - Derivatives. Innovative European finance house seeks capital markets/securities lawyer for OTC derivatives role. Superb opportunity for high calibre lawyer with commercial acumen. 1-4 years

HONG KONG - Projects. Top grade US practice with a particular strength in energy projects, seeks a junior and a senior lawyer to join strong global projects team. \$HK Top rates. 1-8 years

SINGAPORE - Telecoms. Newly established office of top US projects practice seeks senior UK telecoms lawyer. Immediate partnership. No following needed. \$US rates plus expatriate package. Partner Level

SYDNEY - IT/Telecoms. Top 5 practice seeks additional solicitor to join its regarded media/high tech group. Successful candidate will be a self-starter and enjoy substantial client contact. 2-4 years

SINGAPORE - Corporate. Quality UK law firm seeks junior assistant to handle cross-border corporate work. Dynamic and fast growing area of the practice. Opportunity to travel throughout region. 1-2 years

MELBOURNE - Corporate. Leading national practice with high profile resources client base seeks client oriented lawyer. Excellent prospects for the right candidate. Sponsorship considered. 3-5 years

HONG KONG - Construction. Niche Hong Kong Chinese practice with plenty of high quality work urgently seeks additional UK qualified assistants. Close knit team. Serious partnership prospects. 2-8 years

Contact:

Gonnie Greene (Far East) or Alison Port (Australia)

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Davies Arnold Cooper requires an Assistant Solicitor who must have a minimum of 3 years PQE practicing in Australia in ADR and Professional Indemnity work, a good degree, and have commercial contacts in the Australian insurance industry to help develop this firm's Australian insurance practice. Salary: Market Rate

Please send your CV's with a covering letter to: Olive Taylor Human Resources Davies Arnold Cooper Solicitors 6-8 Bourne Street London EC4A 8DD

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Commercial Lawyer

North West

£ Excellent

Our client is a UK based FTSE 100 company, with sales of nearly six billion per annum. Over recent years, it has successfully refocused its activities resulting in impressive profits and earnings per share growth.

This fast-moving international business demands internal lawyers of the highest calibre with ability to operate as fully integrated members of the business. The company's dynamic performance together with the importance that senior management attach to its legal function has now created an opportunity in the North West legal team.

The company requires a commercially focused lawyer with between one and three years experience coupled with the technical and interpersonal skills, presence and confidence to add value and work alongside the business. Additionally you will have the energy, ambition and drive to thrive in this highly commercial environment.

Key responsibilities will include:

- Involvement in joint ventures, teaming and other collaborative agreements.
- Participation in complex contractual negotiations.
- Contribution to a wide range of domestic and international commercial issues.

This is an excellent first move to-house or the opportunity for an in-house lawyer to move into a more business facing legal role in a dynamic, challenging environment. The remuneration package will reflect the organisation's commitment to seeking outstanding individuals.

To find out more about this position, please contact Catherine Brown on 0171 269 2484, or Chris Nelson on 0171 269 2232, our exclusively retained consultants or send your CV to Michael Page Legal, Page House, 39-41 Parker Street, London WC2B 5LN, fax 0171 831 6662.



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Competition for lawyers

The shortage of lawyers on the job market is causing intense competition among law firms. City firms are battling among themselves. They are also having to compete against US firms, accountants' practices, and major law firms in the North.

Lawyers working for commercial firms in the North of England are attractive to City firms. They have a reputation for being commercially aware. They make good technicians. In addition, they are usually excellent lawyers with solid legal experience. For the northern candidates, City firms are attractive because they offer more international experience and a workload of complex, high-value transactions.

This recruitment battle is reflected in current salary trends. Our survey of City salaries, following the Spring/Summer review, showed assistant solicitors to be earning £30,000 at newly qualified level rising to over £50,000 at the 5-year level. These high salaries have prompted a response from the large firms in the North. They are offering salaries rivalled from City firms salaries that match or even exceed City rates. And they are offering the prospect of partnership at an earlier age.

The battle for candidates will continue until the next recession sets in. When this will be anyone's guess, but those who remember the recruitment scene in the 1980s may sense some similarities with the market in 1997. This would give us a couple of boom years to come.

Michael Chambers

INDUSTRY Sonya Rayner, Fiona Boxall, Morwenna Lewis, Aileen Shepherd

Commercial Lawyer: Saudi Arabia Experienced international commercial lawyer with at least 15 years' post qualification experience to oversee major construction project. Prior experience of working overseas preferred.

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Alan Lee meets a Borders trainer intent on plundering more Cheltenham prizes

Parker sparks ambitions of Gold Cup glory

In the converted farm buildings that comprise Colin Parker's homely yard on the Scottish borders, Sparky Gayle has the smallest box but much the tallest reputation. On Saturday, he will appear in either the Murphy's Gold Cup at Cheltenham or Ayr's Sean Graham Chase, defending an unbeaten record over fences that is already feeding some dizzy ambitions.

Parker admits he is tempted by the big prize and a long list of likely defections at Cheltenham, but will study the entries closely before making a decision. But whichever engagement Sparky Gayle accepts, there will be no shortage of confidence. Parker and Ray Green, the owner, have been mapping out a seasonal campaign for the seven-year-old and its successful execution would see them descending on Cheltenham next March intent on stripping Mr Mulligan of his crown.

"Sparky" is no stranger to the Festival. Two seasons ago, he was fifth in the Coral Cup Hurdle and last March he was an impressive winner of the Cathcart Chase. Parker, who had told anyone who asked that his horse would win, did not linger to celebrate. "I didn't even have a drink," he recalls. "I had to drive the horse home that evening."

This reveals plenty about the workings of Douglas Hall Farm, which is as far removed from the factory-fuel training centres as is possible to imagine. It is a family operation, conducted by Colin, his wife Janet, and their two jockey sons, Andrew and Dave. There is nothing there they have not built themselves and nothing about the horses they do not know.

The trainer himself is a quiet, assessing Cumberland. Parker, 52, sums himself up thus: "I don't say much but I do a lot. I suppose I'm a bit of a workaholic." A tour of his land verifies this view and explains why his horses are extremely fit and strikingly laid-back.

Parker, who had ridden professionally but unspectacularly on the northern circuit, spent seven years as head lad to Gordon Richards at Penrith before, in 1979, moving a dozen miles across the border "looking for a quieter life". He rented the farmhouse in which he still lives, a mile up a potholed track to nowhere, and for four years devoted his



Parker and Sparky Gayle are casting their eyes on Mr Mulligan's crown at the Cheltenham Festival next March. Photograph: Ian Stewart

energies to breaking-in young horses. "I was always intending to train but we couldn't afford it at first. This place also needed a lot of hard graft. Most of it was derelict and we created the boxes out of old cow sheds and a cottage that Janet and I knocked down ourselves."

His big break was a chance introduction to Raymond Anderson Green, then a force in City banking and property investment. Green was looking to get into racing and Parker bought him a foal. The interest grew and their first winner together was Brandy Hambro, who is still on the farm, living contentedly with the yearlings. In the 12 years since then, Parker has trained almost 100 winners for Green, who semi-retired from business at 40 and now owns 75 per cent of the horses in the yard.

"I always said I would never have an owner with more than three, because the risk in losing him would be too high," Parker said. "This seems different. Ray is more than an owner, he is a good friend and very much part of our team. He has such a quick mind and devotes a lot of time to the race planning."

Four years ago, it was Green who bought the adjoining farmland that allowed Parker to augment his facilities with one of the finest all-weather gallops in the country — a half-mile circuit, linked by a two-furlong straight to a steep, five-furlong climb. The woodchips were laid to a depth of ten inches and the work was largely done by Parker and his sons.

The stable star, however, does not give much indication of his talent on the morning gallops. Son Andrew, 28, who

lives in a farm cottage and rides out Sparky Gayle every day, said: "A selling plater could beat him at home." His father agrees. "He shows us nothing here, he is so relaxed. It wasn't always this way — he beat me once as a four-year-old."

The Parkers always suspected they had something special, from the time Sparky Gayle — bought for 20,000 guineas at the 1993 Derby Sale at Fairyhouse — travelled back to Ireland to win a bumper at Downpatrick, sponsored by his owner.

Six wins last season established him in many minds as a horse to follow. Now, inevitably, sights must be raised. After his weekend exertions he is likely to be aimed at the

Hennessy Cognac Gold Cup at Newbury later this month, then pick his path through the major staying handicaps on his way back to the Cheltenham Festival. The prospect pleases Parker but does not worry him. "I don't fret about anything. I'm an easy-going fellow who just likes to get on with his job."

Come March, nothing will change. Parker, indeed, will probably follow his usual routine, leave the racecourse without so much as a glass of champagne and drive the horse back to Scotland. Only then, as he gazes from his kitchen window across the unblemished view towards the Solway Firth, might he allow himself to crack a smile and a bottle.

Only late on, when Ricky Ponting and Paul Reiffel stepped up the tempo, did the batsmen gain the upper hand on a placid wicket. When Taylor called a halt at 294 for six, Ponting was unbeaten on 73 off 84 balls, after hitting two sixes and seven fours against a tiring attack. The Tasmanian was visibly frustrated at being denied the opportunity to record his second century.

Australia's first innings: 373 (M. A. Taylor 112, P. Reiffel 77, S. D. Mitchell 47, C. L. Cairns 49).

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RICHARD EVANS
New House Captain
(2.50 Newbury)
House Captain showed improved form to win a decent handicap hurdle at Ayr in April and is expected to continue where he left off. His defeat of Sheffield and Tullymore left little doubt as to his quality.

Next best: Peace
(3.40 Ludlow)

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CRICKET

Australia made to graft for advantage

MARK TAYLOR, the Australia captain, set New Zealand a victory target of 319 after his batsmen tottered for runs on the fourth day of the first Test in Brisbane yesterday. Bryan Young and Blair Cottrell, the New Zealand opening pair, then survived a nervous three overs to reach four for no wicket at the close.

Accurate bowling by New Zealand delayed Taylor's declaration until 20 minutes before close of play. Before then, the scoring rate was only a fraction more than two runs an over as Greg Blewett amassed a patient 91.

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THUNDERER	2.50
1.20 Green Green Desert	2.50 House Captain
1.50 Single Sourcing	3.20 SANMARTINO (nap)
2.20 Super Tactics	3.50 Running De Cersy

GOING: GOOD TO FIRM (CHASE COURSE); GOOD (HURDLES)	SIS
1.20 PENWOLD MOVIES CHASE (24.184: 2m 10) (2 runners)	
100-111 GREEN GREEN DESERT 12 (0.6) (P) M. A. Taylor 112	
2-4-123 FORTUNE 12 (0.6) (P) M. A. Taylor 112	
BETTING: 1-11 Green Green Desert, 9-4 FORTUNE	
1500: PLUMBER 5-11-14 M. A. Taylor 112 (4-6) M. Henderson 3 m	

handicap class (good); previously held Saratoga Rd in 2m 18.00n novice class (good) (good	
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Draw puts Rusedski on red alert

Predictably, much was made of the psychological effect of Rusedski's defeat by Rafter in New York. But the Australian, world ranked No 3 to Rusedski's No 5, made the most telling point. "I do

Rusedski is making his first appearance in this end-of-season jamboree for the world's leading eight players. He arrives with his form a

Rusedski has Rafter, Sampras and Mová in his sights in Hanover this week

Most recently, Rusedski lost to Jan Siemerink, world

Now fully rehabilitated, he is clearly optimistic that he, as Britain's first representative at these championships, will make an impression.

If the draw has been unkind, it should not be forgotten that Rusedski's achievements have already helped to make this a banner year for British tennis.

Two-minute films may be good discipline for those who make them but they can leave the viewer feeling that there is more to be said. Kathleen Byron's memories of her relationship on and off screen with Michael Powell during the making of *Black Narcissus* is one recent subject that cried out for fuller treatment. The same can be said about

The satirical team (BBC1, times vary)

the first film in this new series on the theme of friendship. Melanie and Nick first met ten years ago when they were 16. They fell into what he calls a very intense relationship which has endured to this day, even though she has had a child by somebody else and he has taken a gay partner. The story is unusual, and the elliptical style in which it is told only increases the fascination. But ten minutes are hardly enough.

Auntie: The Inside Story of the BBC
BBC1, 10.45pm (N.I., 11.00; not Wales)

The BBC history reaches the 1960s, which for anybody who lived through it still stands out as a golden age. Shamed by ITV, which had lost 75 per cent of the television audience, and under an iconoclastic new Director General in Hugh Green, the BBC shook off its legendary stuffiness and embarked on a decade of extraordinary boldness and innovation. The roll-call of programmes, each a mould-breaker in its way, runs from *Z Cars* to *Steptoe and Son*, *Till Death Us Do Part*, *That Was the Week That Was* and *Cathy Come Home*. It was the decade, too, of *Dr Who*, *The Forgerie Saga* and *Civilisation*. All this is duly chronicled, faithfully if a shade dry, along with less creditable aspects, such as the banning of *Dr Who* for a nuclear horror story, *Gamma Game*, and Harold Wilson appointing Lord Hill as BBC chairman in an attempt to clip Green's wings.

Peter Waynman

Night Waves

Radio 3, 10.45pm

You never know what is going to turn up on this programme and that is one of its many strengths. Tonight the main subject is the Victorians. I know we are supposed to admire all that entrepreneurial activity, smoking chimneys, thrusting transport services and a general sense of order amid the chaos of the outside world, but they were a pretty odd lot in other ways. *Night Waves* focuses on their seeming obsession with fairness, hypnotism and other supernatural flimsy-psepsy, all of which they only gradually came to see through in the light of modernism. The novelist Peter Carey seeks to explain this conundrum and there is an item on the Royal Academy's new exhibition celebrating Victorian fairy painting. I did you not. **Peter Barnard**

This year, however, things are different. When the tournament begins today, the best that Britain has to offer, Greg Rusedski, will be in Hanover playing against the best in the world and while Telford can boast Tim Henman as top seed, he has said that this will be his last appearance in the nationals

these days British players talk about careers and not just earning a living.

Despite all that, Henman's nearest rival is ranked 125 places below him at No 143. In theory he should win with ease but the nationals are more like a gala performance and he will not want to be unseated

In the women's event, Sam Smith faces an interesting challenge in the opening round today. The British No 1, who started her tennis life as a promising young talent before taking time out to go to university, takes on the latest prospect for the future, Hannah Collin, from Surrey. Smith has yet to win the title in Telford.

Results, page 52

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FREQUENCY GUIDE. RADIO 1. FM 87.6-90.8. RADIO 2. FM 88.0-90.2. RADIO 3. FM 90.2-92.4. RADIO 4. FM 92.4-94.6. LW 198. FM 720. RADIO 5. LIVE. MW 683, 909. WORLD SERVICE. MW 648. LW 198 (12.45-5.55am). CLASSIC FM. MW 100-102. VIRGIN RADIO. FM 105.8. MW 1997, 1215. TALK RADIO. MW 1053, 1089.
Television and radio listings compiled by Peter Dear, Jan Hughes, Rosemary Smith, Susan Thomson, Jane Gregory and John McManus.



RACING 51

Sparky Gale sets sights on Gold Cup glory

SPORT

TUESDAY NOVEMBER 11 1997

TENNIS 54

Rusedski faces toughest task in Hanover



Woodward's revolution takes shape

CLIVE WOODWARD was true to his word yesterday. England's first full-time rugby union coach, who has been in office for just eight weeks, named five newcomers in his team to play Australia at Twickenham on Saturday; a team that in many positions is as green as grass, yet has been offered an unparalleled opportunity.

Normally, only world war create such upheavals in an England team. Of the XV that started against Australia in Sydney in July, only three remain — Lawrence Dallaglio, now the captain, Richard Hill and Mike Catt. Of them, Catt has moved from fly half to centre and will be the goalkicker. Of the XV that completed the five nations' championship last season in second place to France, only four remain, of whom Catt and Jason Leonard have changed positions.

It is change on an enormous scale, as exciting as it is revolutionary. Many will say it is rash to the point of foolhardy, but, to his credit, Woodward has put his money where his mouth is and is treading where none of his predecessors would dare have gone. He has looked at more experienced players, he has recognised that many of them are playing below known form, and has opted for those who are playing with confidence and skill, regardless of age or experience.

He has selected Matt Perry at full back, David Rees (right wing), Will Greenwood (cen-

David Hands on the England coach's first bold steps into a brave new world

tre), Andy Long (hooker) and Will Green (tight-head prop) to make their international debuts. In addition, Alex King, whose experience amounts to 22 minutes against Argentina in June, is given his chance at fly half, while Adeleyo Adeboye, Garath Archer, Tony Diprose and Hill can muster no more than a dozen caps between them.

Nor has Woodward shied from moving players into

Wing for Sale — 53

what he perceives as their optimum position: Perry has been playing centre for Bath this season with Catt as his fly half, while Leonard reverts to his favoured role of loose-head prop after two years on the tight-head side. The younger element are known to Woodward, however. Perry and Long, both only 20, played under him when he coached the England Under-21s and he has a better idea of their resilience than many. Indeed Long is the fourth hooker to be capped this year, after Mark Regan, Phil Greening and Richard Cockerill.

Green and Rees, 22 and 23 respectively, have been in

ebullient form for Wasps and Sale, respectively, the former confirming his place against the Brive front row as recently as Sunday, the latter scoring tries with abandon after recovering from a hernia operation. Greenwood, the Leicester centre, is, at 25, the oldest of the newcomers but his star has been rising for more than a year and carried him to South Africa with the British Isles during the summer.

He also has a pedigree. Dick Greenwood, his father, captained England from the back row 28 years ago and coached England between 1983-86. He was there in Bloemfontein when Greenwood junior suffered a life-threatening injury playing for the Lions against Free State, jarring his head so severely in a tackle that only prompt medical attention saved him. That the centre began the season a little tentatively is, perhaps, no surprise but in recent weeks his confidence has returned.

"I have picked the team that contains the best 15 players in their positions in England at the moment," Woodward said. That excludes 11 of the 22 Englishmen who appeared for the Lions during the summer, of whom only three — Jeremy Guscott (who needs an operation on his back), Tony Underwood and Tim Simpson — are injured.

The unlikeliest of the remaining eight is Matt Dawson, the Northampton scrum half, who effectively loses out to the Saracens unit at Nos 7, 8 and 9.

There can be no doubt that Kyrn Bracken and Diprose helped each other into the national team, nor that their form in the Allied Dunbar Premiership game with



England expects: Greenwood, King, Green, Long, Rees and Perry will be making their first starts for the national team on Saturday



Australia unhappy at tour build-up

ROD MACQUEEN could offer little comment yesterday on the England team that his Australians will meet at Twickenham on Saturday; he has problems enough of his own as he endeavours to lift the spirits of a party deflated by their recent visit to Argentina yet with two international matches still to be played (David Hands writes).

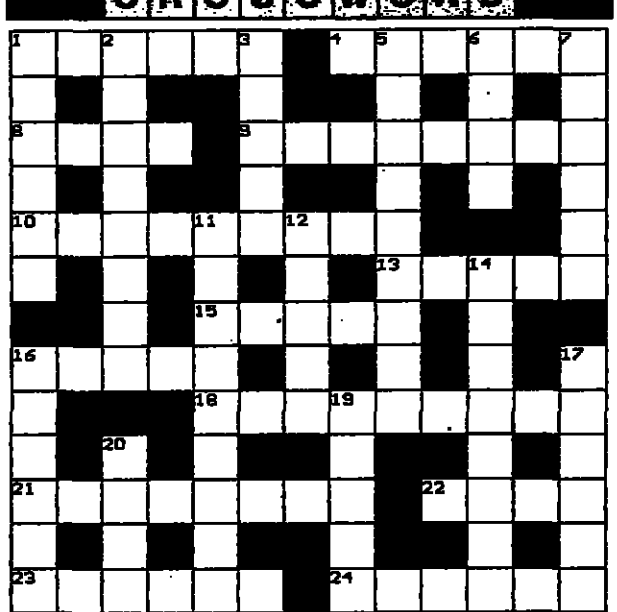
Australia will name their XV this morning, three days after suffering an 18-16 defeat in Buenos Aires which left the series shared at 1-1 and critics describing them as "spineless." Macqueen, who took over as national coach after the resignation in August of Garry Smith, admitted that the Wallabies had provided ample ammunition for such comments on what has been a disappointing introduction to international rugby.

"We have not been playing well," he said candidly. "We thought that by now we would have been putting some good play together. We have trained well, we have put a lot of time and effort into putting together a simple style but it has not come off." In fact Macqueen would have welcomed another midweek game interspersed with the internationals against England and, on November 22, Scotland.

His schedule has been top-heavy with internationals, four of them compared with three provincial games. More over injury forced him to leave behind such influential players as Matthew Burke, Jason Little and Daniel Manu, and they have now been joined by David Knox, the fly half who suffered a severe dislocation of his finger against the Argentinians.

Knox is one of seven players who returned to Sydney over the weekend, leaving Macqueen to ponder the choice of Elton Flaitley, the young Queensland, for his first full cap or returning to Pat Howard at fly half.

CROSSWORD



No 1248

- ACROSS
- Gain (6)
 - Stagnation (6)
 - Classy (4)
 - Swine Jesus sent over cliff (8)
 - Observe (eg birthday) (9)
 - Truck (5)
 - Horribly (5)
 - Dirty mark; aspersion (5)
 - Nice smell (9)
 - Transparently clear (8)
 - Greek king of gods (4)
 - Estimation, removal (6)
 - Star sign, Apr/May (6)
- DOWN
- Holy Father's office (6)
 - Out of date (8)
 - Wild beast; a SE Asian economy (5)
 - Anyone there? he asked (De la Mare) (9)
 - Cook slowly; fishpond (4)
 - Aperitif from Spain (6)
 - Be productive (4,5)
 - First Greek letter (5)
 - The caribou (8)
 - A Royal Engineer; old thriller writer (6)
 - Population count (6)
 - Two kangas walked for him (Backus) (5)
 - Minor, irregular reading (4)

SOLUTION TO NO 1247

ACROSS: 6 Scourge 7 Virus 9 Trend 10 Giraffe 11 Figure of fun 14 Legal tender 17 Wattage 19 Rodeo 21 River 22 Potency

DOWN: 1 Sole 2 Prodigal 3 Ledger 4 Awer 5 Transfer 6 Site 8 Seeing 11 Fugitive 12 Obdurate 13 Flower 15 Exempt 16 Pasty 18 Acre 20 Dunk

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Schumacher and Formula One stand side by side in the dock

BY MICHAEL CALVIN

MICHAEL SCHUMACHER will be fortunate to escape with a record fine in the region of \$2 million (about £1.2 million) today, when he faces Formula One's equivalent of the High Court. The subsequent appearance of the McLaren and Williams teams, to answer disclosures in *The Times*, will complete an unprecedented attempt to preserve the sport's credibility.

Schumacher's case, arising from his collision with Jacques Villeneuve that resulted in the Canadian becoming world champion at the European Grand Prix on October 26, is of fundamental importance because Formula One cannot be seen to subjugate its wider responsibilities to the commercial importance of its most celebrated driver.

The secondary issue, involving the apparent manipulation of the Jerez result by two of the sport's leading teams, is equally complex, and no less intriguing. Max Mosley, president of the FIA, the governing body of motorsport, decided that Williams and McLaren, had a case to answer yesterday, when he received a report from Charlie Whiting, the official observer.

This was prompted by the publication, in *The Times* on Saturday, of transcripts of conversations between Schumacher, Villeneuve and their respective pit crews. Whiting has since heard the two secret tapes, on which the report in *The Times* was based. They are now in the possession of the FIA.

The organisation's world council, which meets at the RAC headquarters, near Heathrow, this morning, has the power to inflict unlimited punishment if it feels the

teams have breached article 151 (4) of the FIA's international sporting code, which covers conduct "prejudicial to the interests of any competition, or of motorsport generally."

The teams deny collusion, and the case will centre on Villeneuve's actions, which allowed Mika Hakkinen through for his first grand prix win. Mosley, who will chair the 24-man council, which also includes Bernie Ecclestone, the Formula One impresario, said: "The race director, combining what he saw of events in Jerez with the transcripts and the tapes, decided there was enough evidence to warrant further investigation."

The cynics suggest the case is linked to the status of Williams and McLaren, as leading dissidents in the debate about the constitution of Formula One in the run-up to stock market flotation. Schumacher's defence, against allegations that he deliberately rammed Villeneuve, also has the potential to

affect the delicate balance of political power within the sport.

If he is found guilty, a reasonable assumption given that most independent observers are convinced there was malicious intent in the collision, approaching the Dry Sack curve at Jerez, a seven-figure fine is a probability. A ban is also likely, but, intriguingly, probation has been put forward as an alternative. One imaginative option involves linking the length of the suspension to Schumacher's behaviour over a given number of races next season. This would ensure massive interest in the early-season grands prix and still ensure that Schumacher operates under a self-inflicted handicap.

However, there are those who believe that only a year's suspension is appropriate. The need for a firm moral head has been best expressed by the new team owner, Jackie Stewart, a long-term advocate of driver safety. He accepts Schumacher's contention that the incident could have been spontaneous, but insists that it was "neither ethical nor allowable."

He expects the FIA to make an example of him. "Behaviour of that type has not just to be discouraged but eliminated," he said. "You can bet that every young driver was watching the Jerez race. If they see someone getting off with that sort of behaviour, it will be mirrored at every level of the sport."

"I still believe there is room for ethics in grand prix racing, room for morals. There is a lack of them, in all avenues. I

don't think the problem lies just with Schumacher. These days it is common practice either to block someone or even to come into contact with them. That seems acceptable today, but we must be stricter. If something is not done, it will end in tears, with a massive accident."

The irony is that Schumacher's talent is beyond debate. Even Frank Williams, looking back on the 1997 season last week, before the disclosures in *The Times*, admitted that his disciplinary problems evoked conflicting emotions. His first reaction to the incident "was not one of instant outrage."

He said: "It was one of concern, and relief. Everyone realised Jacques was lucky to stay on the road. When I saw Michael in the gravel-trap I thought, 'silly boy', but my gut feeling was that he had acted instinctively rather than in any premeditated manner."

As the magnitude of the incident became clear, I began to appreciate Jacques' anger. I know how hard he worked for that title. But I felt also a strange sense of sadness. Part of me wanted the hullabaloo to die down, for the sake of Formula One's reputation.

"When a hero has his bottom smacked in full view of the world, everyone is belittled by the spectacle. The fact remains that if Michael Schumacher became available tomorrow, every team manager in the pit-lane would be in the queue for his services. That's the reality of his reputation."



Schumacher: facing fine



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